

## MANY GET AWAY

From these figures, he noted that chances of committing burglary, robbery, and murder in Cook county and escaping jail are better than 50 to 1.

"I submit that this is a shocking indictment of our whole system of criminal investigation and prosecution," he said.

Kirkpatrick, also citing soaring national crime rates, said he thought his listeners would find in these and other available statistics "a far richer lode of defects in justice than in the few highly publicized cases which gave rise to the present tensions between the press and the bench and the bar."

He suggested that "some of the time, money, and talent" the legal profession has devoted to "restraining the press" be devoted to the proposed new project.

He added, "The need seems so compelling to me that I think the press would join you."

## PRESS STAND DEFENDED

Kirkpatrick also defended at length opposition of the press to restrictions which have been imposed on news coverage of criminal proceedings with intent to assure fair trials.

He said some of these restrictions "have created ideal conditions for corruption, incompetence, and indifference among policemen, prosecutors, and judges."

"They put a muzzle on the watchdog which serves as the proxy observer for all citizens in the courts," he said. "This is a greater hazard to justice than so-called prejudicial publicity."

He said the goal of management of the nation's legal processes should be both a free press and a fair trial, rather than one or the other.

Kirkpatrick said there has been steady deemphasis by newspapers of crime news because studies have shown crime news is far down in reader preference.

"We don't cover crime for sensation and scandal but because it is a serious social problem," he said.

## DON'T EXPAND NATIONAL

## HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 1969

Mr. MARSH. Mr. Speaker, recently Senator BYRD, the senior Senator from Virginia, made some very pointed and timely comments in reference to the proposed expansion of Washington National Airport.

The remarks of Senator BYRD were commented on editorially by the Staunton (Va.) Leader. Because I think it is of considerable interest to all Members, therefore, I would like to include the editorial of Friday, March 21, of the Staunton, (Va.) Leader as follows:

## DON'T EXPAND NATIONAL

Senator Harry F. Byrd Jr., D-Va., is undoubtedly right in his opposition to expansion of National Airport, which carries most of the air traffic in and out of Washington. It lies on the Virginia side of the Potomac and offers somewhat faster access to the

capital than Dulles International Airport once the passenger is on the ground.

Dulles is also in Virginia. As Sen. Byrd said in a Senate speech, it "was built specifically to provide for the day when National became overcrowded, and it is clear that day has arrived."

It arrived some time ago, as many Stauntonians and others residing in the Upper Valley who fly out of Shenandoah Valley Airport to Washington have been saying.

Airline demands for expansion of National won some support last year. But as Sen. Byrd told his colleagues, architects can provide workable plans for expanding terminal facilities but "are powerless to create more air space, and that air space is alarmingly full". That it is, as any airline passenger with National as his destination, departure or transfer port could tell the government.

Why the big airlines have persisted in using National rather than Dulles has been a puzzle for some time. The Dulles facilities are thoroughly modern, the skies are not crowded, and neither are the runways or loading bays. Good highways and fast public transport have been provided. But refusal to make the shift from National has resulted in the handling there last year of 10 million passengers, although the rated capacity is four million.

Congress should not appropriate funds for expansion of National Airport, especially when huge public funds went into construction of Dulles to accommodate the increased traffic foreseen. There are grave risks to life in the crowded skies over National—a fact which, coupled with a turn-down by Congress, the expense and public dissatisfaction, should force airlines to restudy their traffic patterns and transfer a heavy volume of their business to Dulles.

## SENATE—Monday, April 14, 1969

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, we thank Thee for the beauty of the world about us—for buds and blossoms, for verdant hills and lush meadows, for gentle rains, for the calm warmth of the sun and caressing breezes, for the star-lit night, for the lyric notes of the birds, and for all that combines in the symphony of nature to remind us of our origin in Thee. Create in us a character and spirit in harmony with the world about us that we may serve Thee in newness of life.

Bless this land, which Thou hast given us, with honorable industry, sound learning, pure manners, and true justice that we may be a united people who walk and work and witness to the glory of Thy higher kingdom.

For it is in Thy holy name we pray. Amen.

## THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, April 3, 1969, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

## MESSAGE FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of April 3, 1969, the Secretary of the Senate, on April 10, 1969, received a message in writing from the President of the United States submitting sundry nominations, which were referred to appropriate committees.

(For nominations received on April 10, 1969, see the end of the proceedings of today, April 14, 1969.)

## ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on April 3, 1969, he presented to the President of the United States the following enrolled bills and joint resolutions:

S. 165. An act for the relief of Basil Rowland Duncan.

S. 586. An act for the relief of Nguyen Van Hue.

S.J. Res. 37. Joint resolution to extend the time for the making of a final report by the Commission To Study Mortgage Interest Rates.

## MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries.

## DOMESTIC PROGRAMS AND POLICIES—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 91-96)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States:

## To the Congress of the United States:

As the Members of Congress know, I have had under consideration the question of whether to send to the Congress this year a message on the state of the Union. I have decided against doing so. However, to assist Congress in formulating its plans, I would like to indicate at this time some of the principal legislative proposals that I will be sending in the weeks immediately ahead, and to report on the development of Administration plans and priorities as they relate to domestic programs.

The first twelve weeks of the new Administration have been devoted intensively to the pursuit of peace abroad, and to the development of new structures and new programs for the pursuit of progress at home.

Peace has been the first priority. It concerns the future of civilization; and even in terms of our domestic needs themselves, what we are able to do will depend in large measure on the prospects for an early end to the war in Viet Nam.

At the same time, the first days of this Administration have afforded us a unique opportunity to study the nation's

domestic problems in depth, and to overhaul and re-tool the complex machinery of the Executive Office.

A systematic review of domestic programs and policies has led to a series of recommendations which I will begin sending to Congress this week. Among those recommendations will be:

- An increase in Social Security benefits, to take account of the rise in living costs.
- New measures to combat organized crime, and to crack down on racketeers, narcotic traffickers and peddlers of obscenity.
- A program of tax credits, designed to provide new incentives for the enlistment of additional private resources in meeting our urgent social needs.
- A program to increase the effectiveness of our national drive for equal employment opportunity.
- A comprehensive reorganization of the Post Office Department.
- A program for the District of Columbia, including home rule and Congressional representation.
- A start on sharing the revenues of the Federal government, so that other levels of government where revenue increases lag behind will not be caught in a constant fiscal crisis.
- A far-reaching new program for development of our airways and airports, and our mass transit systems.
- A comprehensive labor and manpower program, including job training and placement, improvements in unemployment insurance and proposals to help guarantee the health and safety of workers.
- Reform of the tax structure. The burden of taxation is great enough without permitting the continuance of unfairness in the tax system. New legislation will be proposed to prevent several specific abuses this year, and plans will be set in motion for a comprehensive revision of our tax structure by 1970, the first since 1954.

The legislative proposals of the next few weeks are a beginning. They form part of a responsible approach to our goal of managing constructive change in America.

This is not law we seek in order to have it "on the books," but law that we need in action. It is designed, not to look appealing in the record, but to take effect in our lives.

It will be the goal of this Administration to propose only legislation that we know we can execute once it becomes law. We have deliberated long and hard on each of these measures, in order to be sure we could make it work. Merely making proposals takes only a type-writer; making workable proposals takes time. We have taken this time.

In other areas, where more time is needed, we will take more time. I urge the Congress to join with this Administration in this careful approach to the most fundamental issues confronting our country. Hasty action or a seeking after partisan advantage either by the Congress or Executive Branch can only be self-defeating and aggravate the very ills we seek to remedy.

For example, one area of deep concern to this Administration has to do with the most dependent constituency of all: the child under five. I have announced a commitment to the first five years of life as one of the basic pledges of this Administration. Head Start was one promising idea for bettering the environment and nutrition of young children; there also are many others. We have already begun enlarging the scope of our commitment in this vital field, including the establishment of an Office of Child Development within the Department of Health, Education, and Welfare. We hope that this enlarging commitment will be accompanied by an enlarging of the base of knowledge on which we act. We are not beginning with "massive" programs that risk tripping over their own unreadiness. Rather, our proposals will include step-by-step plans, including careful projections of funding requirements. Equally important, though Federally supported, they will embrace a network of local programs that will enlist voluntary participation.

These legislative proposals are, of course, being prepared within the context of other Administration actions which bear on domestic program development.

On taking office, I could see that whether measured in terms of its ability to respond, to decide or to implement, the Executive Branch simply was not structured to meet the emerging needs of the 1970s. Therefore my first moves were organizational.

The National Security Council was revitalized. The Urban Affairs Council was created, so that the problems of our cities could be approached in the broader perspective they now require. A Cabinet Committee on Economic Policy was established, to bring greater coherence to the management of our nation's economic prosperity. The system of Federal regional offices was reorganized so that for the first time, related agencies will have common regional headquarters and common regional boundaries. An Office of Inter-governmental Relations was set up, to smooth the coordination of Federal, State and local efforts.

In specific operational areas, we removed postmasterships from politics, started an overhaul of the Office of Economic Opportunity and its programs, and streamlined the administration of the various manpower programs.

One purpose of this early emphasis on organizational activity was to get the decision-making process in order before moving to the major decisions.

At the same time, I sent more than 100 directives to the heads of the various departments and agencies, asking their carefully considered recommendations on a wide range of domestic policy issues. The budget was submitted to an intensive review, and throughout the Administration we addressed ourselves to the critical question of priorities.

One priority that has emerged clearly and compellingly is that we must put a halt, swiftly, to the ruinous rise of inflationary pressures. The present inflationary surge, already in its fourth year, represents a national self-indulgence we cannot afford any longer. Unless we save

the dollar, we will have nothing left with which to save our cities—or anything else. I have already outlined certain steps that will be required:

- Continuation of the monetary policies the Federal Reserve authorities are now pursuing.
- A reduction of fiscal year 1970 expenditures by \$4 billion below the best current estimate of the budget expenditures recommended by the last Administration.
- Continuation of the income tax surcharge for another year.
- Postponing of the scheduled reductions in telephone and passenger car excise taxes.
- Enactment of user charges equal in revenue to those now in the budget.
- An increase in postal charges.

These steps are not pleasant medicine. Medicine to combat inflation is never pleasant. But we can no longer delay taking it.

Another priority is the control of crime. On January 31, I announced a detailed plan for combatting crime in the District of Columbia, recognizing that the Federal city should be made a model of law observance and law enforcement. The crime-control package soon to be submitted to Congress will make clear the Federal Government's commitment, nationwide, to assisting local authorities in protecting the lives, rights and property of their citizens.

An equally pressing priority is the entire complex of needs that we commonly group under the heading, "the problems of the cities"—but which in fact reach beyond the cities, and include the distresses of rural America as well.

Our policy review has strengthened my conviction that in approaching these problems, America needs a new direction—not a turning away from past goals, but a clear and determined turn toward new means of achieving those goals.

One example is hunger and malnutrition. The failure of past efforts to combat these problems has been made shockingly clear. Our new programs will be both vigorous and innovative.

Another example is welfare. Our studies have demonstrated that tinkering with the present welfare system is not enough. We need a complete re-appraisal and re-direction of programs which have aggravated the troubles they were meant to cure, perpetuating a dismal cycle of dependency from one generation to the next. Therefore, I will be submitting to Congress a program providing for the reform of the welfare system.

In the field of social legislation, we now have a hodge-podge of programs piled on programs, in which too often the pressure to perpetuate ill-conceived but established ones has denied needed resources to those that are new and more promising.

We have learned that too often government's delivery systems have failed: though Congress may pass a law, or the President may issue an order, the intended services never reach the intended recipients. Last week, for example, in announcing a \$200 million program for rebuilding riot-torn areas, I noted that after two, three and even four years



nothing had been done, and cited this as evidence of the growing impotence of government. The crucial point here is that whereas in the past, "leave it to the states" was sometimes a signal for inaction by design, now "leave it to Washington" has become too often a signal for inaction by default. We have to design systems that go beyond "commitment," and guarantee performance.

If there is one thing we know, it is that the Federal Government cannot solve all the nation's problems by itself; yet there has been an over-shift of jurisdiction and responsibility to the Federal Government. We must kindle a new partnership between government and people, and among the various levels of government.

Too often, Federal funds have been wasted or used unwisely—for example, by pouring them into direct grants, when more money could have been made available at less cost by the use of incentives to attract private funds.

The programs I will submit have been drawn with those principles in mind. Among their aims are:

- To supplement Federal funds with private funds, through the use of "seed money" devices such as tax credits and loan guarantees.
- To enlist the great, vital voluntary sector more fully, using the energies of those millions of Americans who are able and eager to help in combatting the nation's ills.
- To help rebuild state and local institutions, so that they both merit and gain in a greater measure of confidence on the part of their own citizens.
- To streamline the administration of Federal programs, not only for efficiency and economy, but to improve the certainty of delivery and to cut away the clouds of confusion that now surround not only their operations, but often their purposes.
- To make maximum use of the new knowledge constantly being gained as, for example, in our commitment to the first five years of life.

These programs will not carry extravagant promises. The American people have seen too many promises, too many false hopes raised, too much substitution of the easy slogan for the hard performance.

Neither will they carry large price-tags for the coming fiscal year. We must recognize, however, that in the long run progress will not come cheaply; and even though the urgency of controlling inflation dictates budget cuts in the short run, we must be prepared to increase substantially our dollar investment in America's future as soon as the resources become available.

This Administration will gladly trade the false excitement of fanfare for the abiding satisfaction of achievement. Consolidation, coordination and efficiency are not ends in themselves; they are necessary means of making America's government responsive to the legitimate demands for new departures.

Quietly, thoughtfully, but urgently, the members of this Administration have moved in these first few months to redirect the course of the nation. I am con-

fident of the direction, and convinced that the time to take it has come.

RICHARD NIXON.

THE WHITE HOUSE, April 14, 1969.

Mr. MANSFIELD subsequently said: Mr. President, I ask unanimous consent that the message from the President be jointly referred to the Committees on Finance, Judiciary, Labor and Public Welfare, Post Office and Civil Service, District of Columbia, and Banking and Currency, and Commerce.

The VICE PRESIDENT. Without objection, it is so ordered.

#### EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

#### AGREEMENTS WITH THE GOVERNMENT OF CANADA PROVIDING FOR ADDITIONAL TEMPORARY DIVERSIONS FROM THE NIAGARA RIVER FOR POWER PRODUCTION PURPOSES—REMOVAL OF INJUNCTION OF SECRECY

Mr. BYRD of West Virginia. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from Executive C, 91st Congress, first session, the texts of two notes constituting an agreement between the Government of the United States of America and the Government of Canada, providing for additional temporary diversions from the Niagara River for power production purposes, transmitted to the Senate today by the President of the United States, and that the agreement, together with the President's message, be referred to the Committee on Foreign Relations and ordered to be printed, and that the President's message be printed in the RECORD.

The VICE PRESIDENT. As in executive session, the request, without objection, is granted.

The message from the President is as follows:

#### To the Senate of the United States:

With a view to receiving the approval of the Senate, I transmit herewith the texts of two notes, signed and exchanged at Washington on March 21, 1969, constituting an agreement between the Government of the United States of America and the Government of Canada, providing for additional temporary diversions from the Niagara River for power production purposes.

It is provided in the agreement that it will enter into force upon notification that the exchange of notes has been approved by the Senate of the United States. The agreement requires Senate advice and consent to approval because it would authorize a departure from the limitations prescribed in the Niagara River Treaty of February 27, 1950 in regard to minimum flows.

An agreement with Canada providing for the construction of a temporary cofferdam above the American Falls at Niagara was concluded by an exchange of notes on the same date. Copies of those notes are transmitted herewith for the information of the Senate. This cofferdam agreement is deemed to be a "special agreement" of the kind expressly authorized by the Boundary Waters Treaty of January 11, 1909 with Canada. It is stipulated in this agreement that it enters into force immediately upon the exchange of notes.

I also transmit for the information of the Senate a report by the Secretary of State explaining more fully the background and purposes of the two agreements.

I urge that the Senate give early and favorable consideration to the agreement authorizing additional temporary diversions from the Niagara River for power production purposes.

RICHARD NIXON.

THE WHITE HOUSE, April 14, 1969.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to a resolution (H. Res. 358) electing the gentleman from Iowa, Mr. SCHWENGEL, to be a member of the Joint Committee of Congress on the Library.

#### WAIVER OF CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

#### LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

#### ORDER FOR RECOGNITION OF SENATOR DOLE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, sometime shortly after the transaction of routine morning business has been concluded, the distinguished Senator from Kansas (Mr. DOLE) be recognized for not to exceed 1 hour.

The VICE PRESIDENT. Without objection, it is so ordered.

#### COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS,  
ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

## REPORT ON BIOSCIENCE PROGRAM

A letter from the Administrator of the National Aeronautics and Space Administration, transmitting, pursuant to law, a report of proposed action by the National Aeronautics and Space Administration to conduct the bioscience program at a level in excess of that authorized in the National Aeronautics and Space Administration Authorization Act, 1969 (82 Stat. 280), together with the facts and circumstances related to that action (with an accompanying report); to the Committee on Aeronautical and Space Sciences.

## REPORT ON DISPOSAL OF SURPLUS MILITARY SUPPLIES, EQUIPMENT, AND MATERIEL

A letter from the Assistant Secretary of Defense, transmitting, pursuant to law, a report of receipts and disbursements pertaining to the disposal of surplus military supplies, equipment, and materiel, and for expenses involving the production of lumber and timber products, during the first 6 months of fiscal year 1969 (with an accompanying report); to the Committee on Appropriations.

## PROPOSED ADDITIONAL FACILITIES PROJECT FOR THE ARMY RESERVE

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), reporting, pursuant to law, the location, nature, and estimated cost of an additional facilities project proposed to be undertaken for the Army Reserve; to the Committee on Armed Services.

## REPORT ON PROPERTY ACQUISITIONS OF EMERGENCY SUPPLIES AND EQUIPMENT

A letter from the Acting Director of Civil Defense, pursuant to law, reporting on property acquisitions of emergency supplies and equipment, for the quarter ending March 31, 1969; to the Committee on Armed Services.

## REPORT ON ADEQUACY OF PAYS AND ALLOWANCES OF THE UNIFORMED SERVICES

A letter from the Assistant Secretary of Defense, transmitting, pursuant to law, a report on the adequacy of pays and allowances of the uniformed services (with an accompanying report); to the Committee on Armed Services.

## REPORT ON RESEARCH AND DEVELOPMENT PROCUREMENT

A letter from the Deputy Chief of Naval Materiel (Procurement and Production), transmitting, pursuant to law, a report of research and development procurement actions of \$50,000 and over, covering the period of July 1 through December 31, 1968 (with an accompanying report); to the Committee on Armed Services.

## REPORT ON EXPORT EXPANSION FACILITY PROGRAM

A letter from the Secretary of the Export-Import Bank of the United States, transmitting, pursuant to law, a report on the Export-Import Bank of the U.S. export expansion facility program, during quarter ended March 31, 1969 (with an accompanying report); to the Committee on Banking and Currency.

## REPORT ON U.S. EXPORTS TO YUGOSLAVIA

A letter from the Secretary of the Export-Import Bank of the United States, transmitting, pursuant to law, a report on the amount of Export-Import Bank insurance and guarantees issued in February 1969 in connection with U.S. exports to Yugoslavia; to the Committee on Banking and Currency.

## PURCHASES AND SALES OF GOLD

A letter from the Secretary of the Treasury, transmitting a semiannual report on purchases and sales of gold and the state of the

U.S. gold stock, July 1 through December 31, 1968 (with an accompanying report); to the Committee on Banking and Currency.

## REPORT ON MOBILE TRADE FAIR ACTIVITIES

A letter from the Secretary of Commerce, transmitting, pursuant to law, the fifth annual report of activities providing for the promotion of foreign commerce through the use of mobile trade fairs (with an accompanying report); to the Committee on Commerce.

## AMENDMENT OF THE DISTRICT OF COLUMBIA INCOME AND FRANCHISE TAX ACT OF 1947

A letter from the assistant to the Commissioner of the District of Columbia, transmitting a draft of proposed legislation amending the District of Columbia Income and Franchise Tax Act of 1947, as heretofore amended, so as to provide that income subject to tax for District income tax purposes shall conform as closely as possible to income subject to Federal income tax, and for other purposes; to the Committee on the District of Columbia.

## PROPOSED LEGISLATION AUTHORIZING SUITS IN THE DISTRICT OF COLUMBIA FOR TAXES OWING TO STATES, TERRITORIES, OR POSSESSIONS, OR POLITICAL SUBDIVISIONS THEREOF

A letter from the assistant to the Commissioner of the District of Columbia, transmitting a draft of proposed legislation to authorize suits in the courts of the District of Columbia for taxes owing to States, territories, or possessions, or political subdivisions thereof, when the reciprocal right is accorded to the District of Columbia, and for other purposes (with an accompanying paper); to the Committee on the District of Columbia.

## PROPOSED LEGISLATION REVISING THE DEFINITION OF A "CHILD" FOR THE PURPOSE OF VETERANS' BENEFITS

A letter from the Administrator of the Veterans' Administration, transmitting a draft or proposed legislation to revise the definition of a "child" for the purposes of veterans' benefits provided by title 38, United States Code, to recognize an adopted child as a dependent from the date of issuance of an interlocutory decree (with an accompanying paper); to the Committee on Finance.

## SUMMARY OF THE HIGHLIGHTS OF FEDERAL PARTICIPATION AT HEMISFAIR, 1968

A letter from the Secretary of Commerce, transmitting, pursuant to law, a summary of Federal participation in Hemisfair, 1968 (with an accompanying summary); to the Committee on Foreign Relations.

## REPORTS OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the audits of Government Services, Inc., its employee retirement and benefit trust fund, and its supplemental pension plan for the year ended December 31, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the administration and effectiveness of work experience and training project in Kent County, Mich., under title V of the Economic Opportunity Act of 1964, Department of Health, Education, and Welfare, dated April 3, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of internal audit activities of the U.S. Information Agency, dated April 8, 1969 (with an accompanying report); to the Committee on Government Operations.

## LEGISLATION ENACTED BY THE VIRGIN ISLANDS

A letter from the Assistant Secretary of the Interior transmitting, pursuant to law,

a list of laws enacted by the Legislature of the Virgin Islands in its 1968 regular and special sessions (with accompanying papers); to the Committee on Interior and Insular Affairs.

## REPORT ON THE CHARLES R. ROBERTSON LIGNITE RESEARCH LABORATORY OF THE BUREAU OF MINES

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, on the activities of, expenditures by, and donations to the Charles R. Robertson Lignite Research Laboratory of the Bureau of Mines at Grand Forks, N. Dak., for the calendar year 1968; to the Committee on Interior and Insular Affairs.

## REPORT OF THE ATTORNEY GENERAL

A letter from the Attorney General transmitting, pursuant to law, a report of the Attorney General, consenting to the renewal of the interstate compact to conserve oil and gas, dated April 1969 (with an accompanying report); to the Committee on Interior and Insular Affairs.

## REPORT OF THE ATTORNEY GENERAL

A letter from the Attorney General transmitting, pursuant to law, a report of the Attorney General on exemptions from the antitrust laws to assist in safeguarding the balance-of-payments position of the United States, as of January 1, 1969 (with an accompanying report); to the Committee on the Judiciary.

## REPORT ON FEDERAL PRISON INDUSTRIES, INC.

A report from the Acting Commissioner of the U.S. Department of Justice transmitting, pursuant to law, a report of the Directors of Federal Prison Industries, Inc., for the fiscal year 1968 (with an accompanying report); to the Committee on the Judiciary.

## REPORT ON REVENUES AND COSTS FOR VARIOUS CLASSES OF MAIL

A letter from the Postmaster General transmitting, pursuant to law, a report setting forth the cost of carrying and handling the several classes of mail matter and of performing the special services for the fiscal year 1968 (with an accompanying report); to the Committee on Post Office and Civil Service.

## REPORT ON BUILDING PROJECT SURVEY

A letter from the Administrator of the General Services Administration transmitting, pursuant to law, a report of building project survey under the Public Buildings Act of 1959 (with an accompanying report); to the Committee on Public Works.

## REPORT OF QUARTERLY JOURNAL OF THE LIBRARY OF CONGRESS

A letter from the Librarian of Congress transmitting, pursuant to law, a report on the Library of Congress, including the Copyright Office, for the fiscal year ending June 30, 1968, and a copy of the Library of Congress Trust Fund Board (with accompanying reports); to the Committee on Rules and Administration.

## PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

## By the VICE PRESIDENT:

A resolution of the house of representatives, of the State of Oklahoma; to the Committee on Finance:

## "ENROLLED HOUSE RESOLUTION 1033

"A resolution memorializing Congress to amend the laws of the land regarding veterans; and directing distribution

"Whereas, those Americans who have served their country through active duty in the Armed Forces of the United States are among our most esteemed citizens; and



"Whereas, but for their steadfastness America would have fallen, a victim of the oppressor's heel; and

"Whereas, these men deserve special care and consideration by virtue of their service; and

"Whereas, in order to be admitted to a Veterans' Administration Hospital, a veteran must attest to the so-called 'Pauper's Oath'; and

"Whereas, an annual income statement must be submitted for purposes of qualification for a veteran's pension, regardless of the age a veteran attains; and

"Whereas, Social Security and other Retirement Benefits must now be considered as income for the purpose of qualification for a veteran's pension, regardless of the age of the veteran.

"Now, therefore, be it resolved by the House of Representatives of the first session of the thirty-second Oklahoma Legislature:

"SECTION 1. That the Congress of the United States be, and hereby is, memorialized to amend the laws of the land concerning veterans and veterans' affairs so as to eliminate the so-called 'Pauper's Oath' as a prerequisite to entrance by a veteran into a Veterans' Administration Hospital. The Congress of the United States is further requested to eliminate the annual income statement when the veteran reaches the age of seventy-two (72) years and to exempt Social Security and other Retirement Benefits from consideration as income after the veteran reaches the age of seventy-two (72) years.

"SEC. 2. That duly authenticated copies of this Resolution, after consideration and enrollment, be prepared and sent to each member of the Oklahoma Congressional Delegation and to the Chief Clerks of the Senate and House of Representatives of the United States."

#### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MANSFIELD:

S. 1783. A bill for the relief of Roberto De Lamonica; and

S. 1784. A bill for the relief of Norad Electric Co.; to the Committee on the Judiciary.

By Mr. GOLDWATER (for himself and Mr. FANNIN):

S. 1785. A bill for the relief of Irene Sadowka Sullivan; and

S. 1786. A bill for the relief of James Harry Martin; to the Committee on the Judiciary.

By Mr. MONDALE:

S. 1787. A bill for the relief of Konstantinos Avgeropoulos; to the Committee on the Judiciary.

By Mr. MONDALE (for himself, Mr. BAYH, Mr. CRANSTON, Mr. DODD, Mr. HARRIS, Mr. HART, Mr. HARTKE, Mr. HOLLINGS, Mr. HUGHES, Mr. INOUE, Mr. MCCARTHY, Mr. MCGEE, Mr. MOSS, Mr. NELSON, Mr. PACKWOOD, Mr. RANDOLPH, Mr. SCOTT, Mr. WILLIAMS of New Jersey, and Mr. YOUNG of Ohio):

S. 1788. A bill to assist in removing the financial barriers to the acquisition of a postsecondary education by all those capable of benefiting from it; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. MONDALE when he introduced the above bill, which appear under a separate heading.)

By Mr. BAKER:

S. 1789. A bill to amend the Internal Revenue Code of 1954 to increase the amount of the deduction for each personal exemption to \$1,200; to the Committee on Finance.

(See the remarks of Mr. BAKER when he introduced the above bill, which appear under a separate heading.)

By Mr. YOUNG of North Dakota (for himself, Mr. MUNDT, Mr. TOWER, Mr. CURTIS, Mr. DOLE, Mr. ALLOTT, Mr. HRUSKA and Mr. DOMINICK):

S. 1790. A bill to amend the act of August 7, 1956 (70 Stat. 1115), as amended, providing for a Great Plains conservation program; to the Committee on Agriculture and Forestry. (See the remarks of Mr. YOUNG of North Dakota when he introduced the above bill, which appear under a separate heading.)

By Mr. ERVIN:

S. 1791. A bill to further secure personal privacy and to protect the constitutional right of individuals to ignore unwarranted governmental requests for personal information; to the Committee on the Judiciary.

(See the remarks of Mr. ERVIN when he introduced the above bill, which appear under a separate heading.)

By Mr. CASE:

S. 1792. A bill for the relief of Lai Tung; to the Committee on the Judiciary.

By Mr. METCALF (for himself and Mr. MANSFIELD):

S. 1793. A bill to provide for the disposition of judgment funds of the Sioux Tribe of the Fort Peck Indian Reservation, Mont.; to the Committee on Interior and Insular Affairs.

By Mr. MOSS:

S. 1794. A bill to amend the Internal Revenue Code of 1954 to increase the amount of the deduction for each personal exemption to \$1,200; to the Committee on Finance.

(See remarks of Mr. MOSS when he introduced the above bill, which appear under a separate heading.)

By Mr. RIBICOFF (for himself, Mr. BENNETT, Mr. BIBLE, Mr. BOGGS, Mr. BROOKE, Mr. BYRD of West Virginia, Mr. DODD, Mr. ERVIN, Mr. FANNIN, Mr. GRAVEL, Mr. GURNEY, Mr. INOUE, Mr. JACKSON, Mr. MCGEE, Mr. MATTHIAS, Mr. MCINTYRE, Mr. MILLER, Mr. MOSS, Mr. MUSKIE, Mr. PACKWOOD, Mr. PELL, Mr. RANDOLPH, Mr. SAXE, Mr. SCOTT, Mr. THURMOND, Mr. TOWER, and Mr. TYDINGS):

S. 1795. A bill to amend the Internal Revenue Code of 1950 to encourage the abatement of water and air pollution by permitting the amortization for income tax purposes of the cost of abatement works over a period of 36 months; to the Committee on Finance.

(See the remarks of Mr. RIBICOFF when he introduced the above bill, which appear under a separate heading.)

By Mr. FULBRIGHT (by request):

S. 1796. A bill to amend section 510, title V of the International Claims Settlement Act of 1949, as amended, to provide for the extension of time within which the Foreign Claims Settlement Commission shall complete its affairs in connection with the settlement of claims against the Government of Cuba; to the Committee on Foreign Relations.

(See the remarks of Mr. FULBRIGHT when he introduced the above bill, which appear under a separate heading.)

By Mr. SYMINGTON:

S. 1797. A bill for the relief of Dr. Wagih Mohammed Abel Bari; and

S. 1798. A bill for the relief of Dr. Yavuz Aykent; to the Committee on the Judiciary.

By Mr. NELSON:

S. 1799. A bill to establish a National Commission on Pesticides, and to provide for a program of investigation, basic research and development to improve the effectiveness of pesticides and to eliminate their hazards to the environment, fish and wildlife and man; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. NELSON when he introduced the above bill, which appear under a separate heading.)

By Mr. YOUNG of Ohio:

S. 1800. A bill to amend the Internal Revenue Code of 1954 to increase the amount

of the deduction for each personal exemption to \$1,000; to the Committee on Finance. (See the remarks of Mr. YOUNG of Ohio when he introduced the above bill, which appear under a separate heading.)

By Mr. HATFIELD (for himself and Mr. PACKWOOD):

S. 1801. A bill to establish the Federal Medical Evaluations Board to carry out the functions, powers, and duties of the Secretary of Health, Education, and Welfare relating to the regulation of biological products, medical devices, and drugs, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. HATFIELD when he introduced the above bill which appear under a separate heading.)

By Mr. MONTROYA:

S. 1802. A bill to amend the Communications Act of 1934 in order to require that the public interest of the areas to be served be the sole consideration in the allocation of certain facilities pursuant to such act; to the Committee on Commerce.

(See the remarks of Mr. MONTROYA when he introduced the above bill, which appear under a separate heading.)

S. 1803. A bill for the relief of Edison N. Figueroa; to the Committee on the Judiciary.

#### S. 1788—INTRODUCTION OF THE STUDENT ASSISTANCE ACT OF 1969

Mr. MONDALE. Mr. President, I introduce, for myself and Senators BAYH, CRANSTON, DODD, HARRIS, HART, HARTKE, HOLLINGS, HUGHES, INOUE, MCCARTHY, NELSON, PACKWOOD, RANDOLPH, SCOTT, WILLIAMS of New Jersey, and YOUNG of Ohio, the Student Assistance Act of 1969.

This legislation has several purposes:

First. It will remove the financial obstacles to college attendance by providing direct grants to students, based solely on need, and by greatly expanding Federal grants available to students from needy and lower-middle-income families.

Second. It will increase the flexibility of student loan resources by chartering a private, nonprofit bank to assure availability of loan funds.

Third. It will greatly expand Federal aid available for graduate and professional education by permitting graduate and professional students to obtain grants based upon need, loans from the bank chartered by this bill, and fellowships for the third and fourth years of graduate study for those who qualify on the basis of ability and need.

Fourth. It will augment existing efforts at student "outreach" to identify and encourage high school students who otherwise might not seek further education, dealing with the blended motivation and financial difficulties which impede college attendance.

Fifth. It will greatly expand Federal assistance to higher education by providing direct grants to institutions attended by students who receive assistance under this act.

Sixth. It will provide for new and expanded efforts for providing college outreach programs during the early years of high school.

None of those who join in support of this proposal are wedded to its specific and detailed language. Our purpose is to find the best possible legislation for dealing with the problems of providing as-

sistance to college students and institutions of higher education.

Mr. President, the case for a substantial increase in Federal support of colleges and college students is a compelling one.

#### THE NEED FOR NEW FEDERAL ASSISTANCE

**Increased costs:** The primary need for this bill is the vastly increased cost of attending college. Officials from the Office of Education have testified that the estimated average cost of attending a public university this school year is \$1,740. For a private university the estimated average cost this year is \$2,640. Allowing for the expected yearly increases during the next 3 years, the average cost of a 4-year college education for a freshman who entered a public university last fall is \$7,260. If he entered a private university, the total cost is estimated at \$10,990.

These costs are high. Hard-working parents with moderate incomes find that the cost of educating their children is becoming increasingly burdensome. This is especially true if they have more than one child in college, as many of them do. For the poor, these costs are completely out of reach.

College costs are rising much faster than prices for other goods and services in the American economy. The Consumer Price Index increased 44.6 percent between 1948 and 1968. During the same period the cost for attending a public college for 1 year increased 72.3 percent, and for private universities, the cost increased 91.3 percent. The percentage increase in the cost of college has been almost double that of the increase in the Consumer Price Index.

I ask that the following table be inserted in the RECORD at this point.

The VICE PRESIDENT. Without objection, it is so ordered.

TABLE 1.—INCREASE IN THE COST OF ATTENDING PUBLIC AND PRIVATE COLLEGES FOR 1 YEAR COMPARED WITH THE INCREASE IN CONSUMER PRICE INDEX, 1948-68

	1948	1958	1968	Total, 1948-68
Consumer Price Index (1957-59=100)	83.8	100.7	121.2	
Percentage increase		20.2	20.4	44.6
Public colleges (current dollars per year)	\$1,010	\$1,330	\$1,740	
Percentage increase		31.7	30.8	72.3
Private colleges (current dollars per year)	\$1,380	\$1,950	\$2,640	
Percentage increase		41.3	35.4	91.3

Mr. MONDALE. Mr. President, these costs have increased because the cost of providing higher education has increased. There is some evidence, however, that public institutions—which now educate 70 percent of all college students—are passing these increased costs on to students faster than the cost of providing this service increases.

According to Students and Buildings, a Department of Health, Education, and Welfare publication, between 1955 and 1965 the average revenue of public colleges, exclusive of research funds, increased 34 percent. The average student charges increased 38 percent. This means that the public subsidy of higher education has been decreasing relative to the cost of providing the service. At private institutions during this 10-year

period, average revenue, exclusive of research funds, increased 83 percent while average student charges increased 70 percent.

Another way to measure the increased burden posed by the cost of higher education is to look at the cost of higher education as compared with the gross national product. According to the Office of Education, in 1957 expenditures by institutions of higher education comprised 1.2 percent of the gross national product—GNP. In 1967, the most recent year for which information is available, the comparable figure was 2.4 percent.

I ask that the following table be inserted in the RECORD at this point.

The VICE PRESIDENT. Without objection, it is so ordered.

TABLE 2.—EXPENDITURES BY INSTITUTIONS OF HIGHER EDUCATION RELATED TO GROSS NATIONAL PRODUCT: UNITED STATES, 1959-60 TO 1975-76

(Dollar amounts in billions)

Calendar year	Gross national product <sup>1</sup>	School year	Expenditures by institutions of higher education	Percent of GNP
1957-58	\$141.1	1957-58	\$5.3	1.2
1958-59	447.3	1958-59	6.2	1.4
1959-60	483.7	1959-60	6.7	1.4
1960-61	503.7	1960-61	7.7	1.5
1961-62	520.1	1961-62	8.5	1.6
1962-63	560.3	1962-63	10.3	1.8
1963-64	590.5	1963-64	11.3	1.9
1964-65	632.4	1964-65	13.1	2.1
1965-66	683.9	1965-66	15.0	2.2
1966-67	743.3	1966-67	16.9	2.3
1967-68	785.1	1967-68	18.8	2.4

<sup>1</sup> Economic Report of the President, 1968, p. 209.

<sup>2</sup> Projections of Educational Statistics to 1975-76, updated by Office of Education, Jan. 3, 1969.

Mr. MONDALE. Mr. President, I have already indicated that the cost to students is generally rising somewhat more rapidly than the cost of providing education in public higher education institutions. This fact, coupled with the figures above, means that students and their parents are spending an increasing proportion of their income for college education.

The geographic mobility of the educated: Higher education is a national resource. It is used nationally. It is trained nationally. We must increasingly begin to pay for it nationally.

First, many college students do not receive their education in the State of their residence. I ask inclusion of the following table in the RECORD at this point.

The VICE PRESIDENT. Without objection, it is so ordered.

TABLE 3.—RESIDENTS ENROLLED AS STUDENTS IN HOME STATE AND OUT OF STATE: UNDERGRADUATE, GRADUATE, AND PROFESSIONAL, 1963

	Undergraduate	Graduate
In home State	2,967,313	448,016
Out of State	668,514	182,121
Percent who live in State	81.6	71.1
Percent who live out of State	18.4	28.9

Source: U.S. Office of Education, Residence and Migration of College Students, Fall 1963.

Mr. MONDALE. Mr. President, in 1963, the last year for which geographic information is available, there were 4,265,864 students working for a bachelor's or higher degree. Of these, 850,715 were receiving their education in a State other

than the one of their residence. This means that approximately 20 percent of all college students in 1963 were enrolled in institutions of higher education located outside of their State of residence.

There is no information which accurately shows how many college graduates choose to reside in the State in which they receive their degree. There is no doubt, however, that many of these graduates choose to live and work in other States. The growth of a national economy, the decreasing strength of home ties, and the general willingness of many Americans to move in search of opportunity, means that trained persons who readily qualify for positions throughout the country are likely to work in jobs either outside of their State of residence or outside the State in which they receive their college education.

The table above shows that students are more likely to go to other States for their graduate education than for their undergraduate education. Graduate education, moreover, is the most costly type of education to provide. And persons with graduate degrees are especially likely to move into a national job market that will lure them from the State in which they graduate. This means that many States provide an especially costly graduate education to many students whose families live and pay taxes in other States. These same students are then the ones most likely to move outside the State when they graduate.

For all these reasons, States are becoming more and more reluctant to pay the full costs of higher education. Rightly or wrongly, they tend to view the provision of such education as beyond their responsibility. Graduates who receive their education and then go elsewhere are viewed as a net loss to the State's economy. Students from other States are often viewed as unnecessary burdens upon State resources.

States have also traditionally relied upon taxes which respond somewhat more slowly to economic growth than the national tax structure. This, coupled with a growing reluctance to accept the responsibility for providing education to students from out-of-State, means that States are becoming increasingly hesitant to support higher education. Some States already limit out-of-State enrollments. Other States are either imposing new limits or making present limits more stringent. It is, thus, not surprising that the State and local government share of higher education cost has decreased from 33 percent in 1957-58 to 25 percent in 1967-68.

Opportunity for higher education: At least 650,000 able, college-age Americans are not in school today. The primary reason is lack of income. They cannot finance the cost of attending college. This figure is estimated by some sources to be well above 1 million at the present time.

By 1972, this number will more than double—to at least a million and a half—and this is a conservative estimate.

College attendance is very highly related to socioeconomic status—which is primarily a measure of family income. All studies show that the higher a family's socioeconomic status, the more likely that children of that family will at-



tend college. This is true even when children have the same ability. The tables from several studies indicate this to be the case. I ask permission to include the following tables in the Record at this point:

The VICE PRESIDENT. Without objection, it is so ordered.

TABLE 4.—PROBABILITY OF A HIGH SCHOOL GRADUATE ENTERING COLLEGE IN THE YEAR FOLLOWING GRADUATION BY FAMILY SOCIOECONOMIC STATUS QUARTILE, STUDENT ACHIEVEMENT QUARTILE, AND SEX: HIGH SCHOOL CLASS OF 1961 (NATIONAL)

Socioeconomic quartile	Achievement quartile			
	High	2d	3d	Low
High.....	0.92	0.76	0.52	0.38
2d.....	.81	.55	.38	.21
3d.....	.77	.45	.22	.17
Low.....	.61	.31	.19	.10

FEMALE				
High.....	0.87	0.72	0.43	0.37
2d.....	.75	.44	.26	.09
3d.....	.75	.32	.13	.13
Low.....	.42	.26	.13	.08

Source: Project Talent.

TABLE 5.—PERCENTAGE OF STUDENTS ENTERING COLLEGE DURING THE 1ST YEAR FOLLOWING HIGH SCHOOL GRADUATION BY SOCIOECONOMIC STATUS QUARTILE AND HIGH SCHOOL ACHIEVEMENT QUARTILE: HIGH SCHOOL CLASS OF 1961

Socioeconomic status quartile	Achievement quartile				Total
	High	2d Q	3d Q	Low	
Males:					
High.....	57	25	12	6	100
2d.....	46	32	15	7	100
3d.....	40	33	16	11	100
Low.....	26	30	23	21	100
Females:					
High.....	56	28	11	5	100
2d.....	54	27	15	4	100
3d.....	48	27	13	12	100
Low.....	28	29	22	21	100

Source: Project Talent.

TABLE 6.—PROBABILITY OF FRESHMEN WHO ENTER COLLEGE (FULL-TIME) IN THE YEAR OF HIGH SCHOOL GRADUATION, RECEIVING A BACHELOR'S DEGREE AFTER 4 YEARS, BY ABILITY AND SOCIOECONOMIC STATUS

Ability	SES			
	(High) 1	2	3	(Low) 4
1 (high).....	78.1	63.0	66.4	65.9
2.....	59.1	55.9	56.8	65.3
3.....	47.7	51.6	47.0	54.1
4.....	43.9	35.3	37.0	38.3
5 (low).....	30.4	44.8	23.4	28.7

Source: Project Talent.

TABLE 7.—PROBABILITY OF STUDENTS WITH BACHELOR'S DEGREES ENTERING GRADUATE SCHOOL IN YEAR AFTER RECEIPT OF DEGREE, BY ABILITY AND SOCIOECONOMIC STATUS

Ability	SES			
	(High) 1	2	3	(Low) 4
1 (high).....	54.0	50.6	41.8	30.5
2.....	41.7	40.8	29.4	49.2
3.....	43.1	39.6	33.7	17.6
4.....	39.6	25.7	30.2	24.5
5 (low).....	45.8	14.0	33.3	12.8

1 The number of observations in these cells is very small.

Source: Project Talent.

TABLE 8.—PERCENTAGE WITH COLLEGE PLANS, BY SOCIOECONOMIC STATUS AND INTELLIGENCE, SEPARATELY FOR MALES AND FEMALES: (TOTAL COHORT)

Socioeconomic status levels	Intelligence levels (males)					Intelligence levels (females)				
	Low	Lower middle	Upper middle	High	Total	Low	Lower middle	Upper middle	High	Total
Low.....	4.7 (363)	12.0 (267)	23.3 (193)	33.6 (149)	14.8 (972)	2.7 (411)	4.4 (316)	11.0 (236)	26.1 (138)	7.9 (1,101)
Lower middle.....	9.3 (300)	19.8 (324)	33.5 (275)	49.4 (253)	26.8 (1,152)	10.2 (335)	17.3 (342)	24.4 (291)	35.0 (226)	20.4 (1,194)
Upper middle.....	17.2 (273)	25.6 (277)	47.8 (316)	64.0 (289)	39.3 (1,155)	14.0 (250)	24.7 (324)	27.4 (332)	49.8 (289)	29.3 (1,195)
High.....	28.4 (134)	48.3 (232)	68.6 (299)	85.8 (442)	66.3 (1,107)	30.2 (126)	44.4 (223)	65.1 (324)	72.7 (458)	60.2 (1,131)
Total.....	12.2 (1,070)	25.4 (1,100)	45.5 (1,083)	65.2 (1,133)	37.4 (4,386)	10.5 (1,122)	20.9 (1,205)	33.7 (1,183)	53.3 (1,111)	29.5 (4,621)

1 All  $\chi^2$ 's for each column and row in this table are significant beyond the 0.05 level. Effect parameters: Males: Socioeconomic status 0.131, intelligence: 0.144; females: socioeconomic status 0.140, intelligence: 0.105.

Source: William H. Sewell and Vimal P. Shah, "Socioeconomic Status, Intelligence, and the Attainment of Higher Education," Sociology of Education, 40, No. 1.

TABLE 9.—PERCENTAGE WHO ATTENDED COLLEGE, BY SOCIOECONOMIC STATUS AND INTELLIGENCE, SEPARATELY FOR MALES AND FEMALES: (TOTAL COHORT)

Socioeconomic status levels	Intelligence levels (males)					Intelligence levels (females)				
	Low	Lower middle	Upper middle	High	Total	Low	Lower middle	Upper middle	High	Total
Low.....	6.3 (363)	16.5 (267)	28.0 (193)	52.4 (149)	20.5 (972)	3.7 (411)	6.3 (316)	8.9 (236)	27.5 (138)	8.5 (1,101)
Lower middle.....	11.7 (300)	27.2 (324)	42.6 (275)	58.9 (253)	33.8 (1,152)	9.3 (335)	20.2 (342)	24.1 (291)	36.7 (226)	21.2 (1,194)
Upper middle.....	18.3 (273)	34.3 (277)	51.3 (316)	72.0 (289)	44.6 (1,155)	16.0 (250)	25.6 (324)	31.0 (332)	48.1 (289)	30.5 (1,195)
High.....	38.8 (134)	60.8 (232)	73.2 (299)	90.7 (442)	73.4 (1,107)	33.3 (126)	44.4 (223)	67.0 (324)	76.4 (458)	62.6 (1,131)
Total.....	15.0 (1,070)	33.5 (1,100)	51.0 (1,083)	73.8 (1,133)	43.7 (4,386)	11.4 (1,122)	22.5 (1,205)	34.7 (1,183)	54.9 (1,111)	30.7 (4,621)

1 All  $\chi^2$ 's for each column and row in this table are significant beyond the 0.05 level. Effect parameters: Males, socioeconomic status, 0.134; intelligence, 0.166. Females, socioeconomic status, 0.146; intelligence, 0.105.

Source: William H. Sewell and Vimal P. Shah, "Socioeconomic Status, Intelligence, and the Attainment of Higher Education," Sociology of Education, 40, No. 1.

TABLE 10.—PERCENTAGE WHO GRADUATED FROM COLLEGE, BY SOCIOECONOMIC STATUS AND INTELLIGENCE SEPARATELY FOR MALES AND FEMALES: (TOTAL COHORT)

Socioeconomic status levels	Intelligence levels (males)					Intelligence levels (females)				
	Low	Lower middle	Upper middle	High	Total	Low	Lower middle	Upper middle	High	Total
Low.....	0.3 (363)	7.9 (267)	10.9 (193)	20.1 (149)	7.5 (972)	0.2 (411)	1.3 (316)	2.5 (236)	13.8 (138)	2.7 (1,101)
Lower middle.....	2.3 (300)	7.4 (324)	16.7 (275)	34.4 (253)	14.2 (1,152)	0.9 (335)	5.3 (342)	8.9 (291)	20.8 (226)	7.9 (1,194)
Upper middle.....	4.4 (273)	9.8 (277)	24.4 (316)	46.7 (289)	21.7 (1,155)	2.4 (250)	9.3 (324)	12.1 (332)	24.9 (289)	12.4 (1,195)
High.....	10.5 (134)	23.3 (232)	38.5 (299)	64.0 (442)	42.1 (1,107)	7.9 (126)	15.3 (223)	36.4 (324)	51.1 (458)	35.0 (1,131)
Total.....	3.2 (1,070)	11.5 (1,100)	23.9 (1,083)	47.2 (1,133)	21.8 (4,386)	1.8 (1,122)	7.1 (1,205)	16.1 (1,183)	33.5 (1,111)	14.5 (4,621)

1 All  $\chi^2$ 's for each column and row in this table are significant beyond the 0.05 level. Effect parameters: Males, socioeconomic status, 0.081; intelligence, 0.123. Females, socioeconomic status, 0.077; intelligence, 0.083.

Source: Same as table 9.

Mr. MONDALE. Mr. President, all of these tables except the last three are figures taken from a nationwide sample. The last three are from a large sample of Wisconsin high school graduates for a given school year.

The message is clear: Children of rich parents are much more likely than equally able children of poor parents to attend and finish college. As shown in table 4, which relates figures for a national sample of high school graduates, a male child of poor parents has only from one-quarter to two-thirds the chance of enrolling in college as a child with the same achievement level and rich parents. Clark Kerr, who recently headed the Carnegie Foundation's inquiry into the needs of higher education, has said:

Today a young man or woman whose family's income is in the top half of the national

income range has three times the chance to get a college education as one whose family is in the bottom half.

The reason that children from poor families attend college at significantly lower rates than those from rich families is in part motivational. They may not receive encouragement from their families. They often attend inferior elementary and secondary schools. Their peer-group does not lend them to think about attending college since most of their friends do not plan further education after high school.

But much of the difference in attendance rates is due solely to money. Children of low-income parents have often suffered deprivation. Making future plans often seems futile. And to some students a \$10 bill is a great deal of money. Raising the \$1,700 necessary to attend school for

a year may pose what seems to be, and usually is, an insurmountable task.

This is why there are hundreds of thousands of bright high school graduates in this country who do not continue their education. It is a tremendous waste in human resources. No nation—no matter how rich or well developed—can long afford to waste its human resources. This Nation, with its vast wealth, cannot continue this waste. This Nation, with its belief in opportunity for all, cannot continue this glaring inconsistency of bright, able, high school graduates denied the opportunity to continue their education because of lack of finances. All who can benefit from postsecondary education should have the opportunity to do so. We must end this inequality now.

The impact of low family income upon low rates of college attendance manifests itself concretely in the low rates of college attendance of some segments of our population.

Minority groups—Indians, Negroes, Mexican Americans, and Puerto Ricans—have notably low rates of college attendance. Sometimes this is because some minorities live in isolated sections without ready access to institutions of higher education. But the most important determinant is low family income.

Significantly fewer rural children attend college than do their urban and suburban counterparts. One study of Wisconsin high school graduates found that students who lived in medium-sized and large cities were more than twice as likely to plan to attend college as were students with equal ability who lived on farms. Again, part of the reason is that children of farm families are often isolated from institutions of higher education where they can readily obtain a college education. But the overriding factor is again income. Farmers as a group tend to make less income than do city dwellers.

Finally, some States have significantly lower rates of college attendance than other States. In 1965, for example, 46.5 percent of the college age population was enrolled for degree credit. In the 12 States served by the Southern Regional Education Board the comparable figure was 34.9 percent. This was not because the States served by this board were not making a valiant effort to educate their citizens. But the South has a less developed economic base. Family income in the South is lower than family income elsewhere. Because of this, the impact of income on college attendance is likely to be especially noticeable in this region of the Nation.

Growth in higher education opportunity structure: We know that a good many of the hundreds of thousands of able students who do not go to college do not do so because of cost. As these costs become higher, more and more students, as measured in absolute numbers, will be denied the opportunity of a college education. I think that many people fail to recognize the dimensions of the opportunity structure in higher education. We are lulled into a false sense of progress. We see burgeoning enrollments—they have more than doubled in the last decade. What we fail

to see is that the percentage of high school graduates who attend college has not grown appreciably during the last decade. I ask that the following table be included in the RECORD at this point.

The VICE PRESIDENT. Without objection, it is so ordered.

TABLE 11.—NUMBER OF HIGH SCHOOL GRADUATES COMPARED WITH NUMBER OF 1ST-TIME COLLEGE DEGREE CREDIT ENROLLMENT, 1955, 1965

	1955	1965
Number of high school graduates....	1,414,800	2,672,000
Number of 1st-time degree credit enrollment.....	668,064	1,411,822
Percentage of high school graduates attending college.....	47.3	52.8

Source: Department of Health, Education, and Welfare, Digest of Educational Statistics, 1968.

Mr. MONDALE. Mr. President, it is difficult to determine with certainty the percentage of high school graduates who attend college. The figures noted above compare the number enrolled in college for the first time for degree credit with the number of high school graduates in a given year. This measure gives some idea about the progress being made in providing educational opportunities to the youth of our Nation.

The rate of progress is not encouraging. The 5.5-percent increase of 10 years means that the percentage of high school graduates who attend college has increased at an average of only 0.5 percent per year.

I think that these deficiencies in our opportunity structure must be repaired. The loss of human talent and the effect on the quality of life are beyond calculation. The economic loss is almost incomprehensible.

In recent years this country has become increasingly aware of the problems of the poor. We have not always liked what we have seen. But there is now a greater awareness that problems exist. There is a greater honesty in admitting that all is not as we have sometimes pretended it to be.

We have also come to recognize that there is a large group of Americans who have not been able to participate in the opportunity structure of our society. This is not because they don't try. They are fortunate enough to find jobs. But their jobs are often low-paying ones. Their savings are eaten up by increased medical costs, increased taxes, and increased costs in providing the necessities of life. Family emergencies sometimes set them back. This large group, though, live their lives quietly. The burdens they bear are heavy. Their struggle is incessant.

Because these "working poor" live their lives in incessant struggle so quietly, they are sometimes called the "forgotten Americans." It is time that they be forgotten no longer.

Many of these parents dream of sending their children to college. Some, through fantastic sacrifice, are able to do so. Most are not. It is time this Nation do something to help them realize their dreams. It is time to relieve them of some of their struggle. After all, it is not just the individual family or child that benefits from postsecondary or higher education. The benefit to society

is just as large. And it is time for this Government to assume a larger share of the cost of college educations.

The poor and the low-income working man—these are the people this bill will help. Both are caught in a vicious cycle of poverty. Their low levels of training lead to low-paying jobs—or to no job at all. There is no money to pay for education. And this is passed from one generation to another and another and another.

We must break this cycle now. We have the resources to do it. What we have never done is use them in a really massive way to attack them through higher education.

We are beginning to ask: How do we end poverty? What better first step than permitting 650,000 to 1,300,000 young people to obtain a college education? This country could make no better investment in economic development than in higher education. The increased earnings made possible by a college education would produce enough additional tax revenue to pay the entire cost of this program. And the benefits of the program are transgenerational. Once the cycle is broken, future generations will have access to more resources to pay for the education of their children.

According to the Department of Health, Education, and Welfare publication "Expanding Opportunities for Higher Education," the lifetime differential in earnings between a college graduate and a high school graduate is \$136,187.

According to the Internal Revenue Service about 67 percent of taxpayers pay 15 percent or more of their income in Federal personal income taxes. At this rate the minimum tax return on the additional \$135,000 made possible by a college education would be \$20,428. In all likelihood the return would be even greater since the additional income would probably put these taxpayers into higher tax brackets. But even these conservative estimates indicate that this program will more than pay for itself through the increased tax revenues made possible by it.

Another way of predicting the likely impact of this program on tax revenue is to look at the GI bill. It is one of the most successful education programs ever undertaken by the Federal Government. The educational benefits available through this law made it possible for millions to return from war duty and complete their education; 7,800,000 World War II veterans and 2,391,000 Korean conflict veterans participated in the first two GI bills. Among these, according to the last count of the Veterans' Administration, were 11 U.S. Senators and 116 U.S. Representatives. I am one of those who was fortunate enough to qualify for this assistance. The total cost of these programs was \$19 billion. The benefits of the first two GI bills ended in 1965 after approximately 20 years of operation. At that time, the Veterans' Administration concluded:

An analysis of incomes of veterans and nonveterans in the same age groups, made with the help of the Department of Labor and the Department of Commerce, shows



that incomes of veterans who received G.I. bill help in education averaged from \$1000 to \$1500 a year more than of those who did not. On this basis, we estimate that the trained and educated veterans paid additional income taxes in excess of \$1 billion a year. The G.I. Bill provisions for education covered a period of 20 years; the estimate of \$1 billion annually in added taxes totals a \$20 billion return in taxes alone on the \$19 billion cost of the program.

One billion dollars in added tax revenue per year. And this is continuing. By the time the generations who participated in the first two GI bill programs complete their work life the added tax return will more than double that of each tax dollar originally spent for the program.

The benefits of the GI bill can also be measured in other ways. In human terms, the education provided by this program has permitted many to achieve their full potential who otherwise would not have been able to. Many people fail to find personal fulfillment in what they are doing. They are often capable of doing more demanding work but lack the skill to do so. They are often frustrated in their present jobs but lack the inner security and perhaps training to change to new ones. Education has permitted many to move upward and outward to higher levels of skill and salary. It has given a flexibility to millions who have been able to move out of dead-end slots and into positions which they find challenging and relevant to their interests.

Other benefits—some really incalculable—have also been generated by the GI bill.

This education provided teachers, engineers, doctors, skilled technicians, and so on. It permitted raising the skill levels of millions in this country. And it did so just at a time when the skilled manpower needs of this Nation were increasing by quantitative leaps. This permitted the technological development of this country to forge ahead unfettered. And it facilitated the growth of the economic structure of this Nation. Industry was able to develop faster than it would have otherwise. And this, too, resulted in increased revenues for the governments of this country.

When new tax revenues are generated it means that new spending power has been created. This new spending power has a multiplier effect which reverberates throughout the economy. Its impact is far reaching.

It means that millions have been able to enjoy a higher standard of living and more comfortable life than they would have otherwise.

It means that millions have spent more on homes, automobiles, appliances, and clothing than they would have otherwise.

It means that millions have been able to make larger contributions to worthy causes than they would have otherwise.

It means that millions of children are reaching high school graduation now who have the desire and motivation to attend college, because their fathers attended college. Otherwise they would not have the firsthand experience which is important in deciding whether or not to go to college.

And it means that there are millions

who can afford to send their children to college today who otherwise would not have been able to.

For all of these reasons, this monetary infusion has had an almost unmeasurable effect on the economic development of this country—and its total impact on tax revenues is much greater than the simple increase in income it has provided to participants in the program.

This country still has changing manpower needs. In fact, education is more important than ever before in meeting the qualifications for skilled jobs today. This country still has millions who could absorb a new spending power and who could benefit from a more comfortable life. And we must not fail now—in sheer economic self-interest, if nothing else—to provide educational opportunities for all who can benefit from them.

Mr. President, these needs are still present. People want to engage in interesting and lively work. They want positions which challenge them. They want the flexibility to change as conditions change. They want to enjoy higher standards of living. And the skill level of our manpower needs keeps increasing. The millions who have been fortunate enough to qualify for education assistance under the provisions of the GI bill have proved—in concrete ways—for all to see, what a national commitment to education can mean. We have seen how a Federal program which provides assistance directly to students has worked. This task before us now is to extend this successful approach.

#### WHAT THE BILL WILL DO

Direct grants to students: This bill will provide student opportunity grants, based on need, directly to students who attend postsecondary and higher education institutions at least half time. The amount of aid will range from \$200 to \$1,500 for each academic year. Proportional amounts will be available for half-time and three-quarter-time study. The student will be eligible to attend the school of his choice. Specific details concerning grant eligibility, the formula which determines the amount of the grant, and the duration of the grant are discussed in a summary of the provisions included below.

The primary purpose of providing direct aid to students is to achieve equality of opportunity for higher education in this country. Making this money available on a national basis, regardless of where a student lives or where he wants to attend college, is the single most effective way to remove the financial obstacle to college attendance by needy and lower-middle-income students.

First, direct student assistance permits funneling the money directly to those students who need it most without the influence of structures which might direct this money into other channels. An equivalent amount of money spent on aiding institutions of higher education—as opposed to students—would not have the same impact of easing the financial burden of college attendance on families or reducing this obstacle to college attendance. That kind of aid would help institutions meet their mounting costs. It would ease the pressures for increases in tuition. But it would not provide spe-

cific assistance for those who would not decide to attend college without assurance of financial aid. The prospects for raising the money they need for attending college would be as hopeless as ever.

Second, making this money available on a national basis permits students to know that if they have certain income characteristics they will be eligible for college assistance. They would not have to search out a given institution which will have money available. They would not have to go through the time-consuming—and often costly—process of applying to several places in hopes that one will provide assistance. This knowledge in itself is likely to increase higher educational opportunity in this country. The recent Department of Health, Education, and Welfare report to the President entitled, "Toward a Long-Range Plan for Federal Financial Support for Higher Education" suggests that—

There is some evidence that changes in the cost of college have a greater impact upon college attendance if these changes are made known to students early in their high school careers. If there were a fundamental improvement in the method of financing students' education, it is likely that the long range impact of this change would be to remove some of the barriers to college attendance which we identify as motivational in the short run.

The knowledge that a national program is available, for which the student can apply—regardless of where he lived or where he wanted to attend college—will give many a hope for a higher education that they do not now have.

Third, there are many who do not attend school today because of financial barriers. I spoke of this earlier. Although it is difficult to know the precise impact of present student assistance programs, the Office of Education has estimated that each \$100 decrease in tuition cost—or increase in student aid—would increase the proportion of high school graduates who attend college by 5 percent.

With the number of high school graduates now approach 2.7 million per year, each \$100 average increase in assistance represents higher education opportunity for 135,000 additional students. Although the intensity of the response for each increment of assistance would probably diminish, an average increase of several hundred dollars would still increase college attendance by several hundred thousand.

One of the great advantages of providing aid directly to the neediest students is to make certain that those who are neediest will benefit the most by a decrease in their educational costs. For example, if we were to provide enough aid to decrease the cost of college attendance by \$100 for all of the 6 million students enrolled in college the cost would be \$600 million. The impact of this would be to make college available for 135,000 additional students. But a program which would make \$100 available to each of the neediest students would only cost \$13.5 million and would have an impact on college attendance similar to that of a much more costly program of \$600 million.

The Office of Education also estimates that—

A \$500 subsidy offered to all high school graduates in the lowest half of the income distribution would increase first-year enrollment of this group by over 25% in 2 years.

Mr. President, there is no question but that lower income groups are much more responsive to cost of attending college in making their decisions to further their education after high school graduation. This bill will help to make it possible for all to attend college, if they want to and have the ability to do so, regardless of their family income.

I would like to point out that making direct grants to students is not a new concept in providing Federal assistance to higher education in this country. Several present programs already do this. They include: Benefits are paid to college age dependents of deceased and disabled parents covered by programs of the Veterans' Administration, social security, and railroad retirement. The Bureau of Indian Affairs has a grant program for persons of Indian descent. The GI bill provides assistance to veterans, and the National Science Foundation makes fellowship awards to graduate students. I ask inclusion in the RECORD at this point of the following table which indicates the number of students receiving aid through these programs during the most recent month for which figures are available.

The VICE PRESIDENT. Without objection, it is so ordered.

TABLE 12.—FEDERAL PROGRAMS PAYING AID DIRECTLY TO POST-SECONDARY STUDENTS

	Number	Average yearly benefit
Social Security.....	341,000	\$864
Railroad Retirement.....	8,000	1,140
GI bill.....	346,861	1,809
Veterans' Administration sons and daughters program.....	27,423	1,980
Bureau of Indian Affairs.....	2,660	863
NSF graduate fellowship program.....	2,255	\$5,128

<sup>1</sup> Includes part-year students.

<sup>2</sup> Includes cost-of-education allowance.

Note: Except for the NSF program, all of these programs pay aid to students studying in the field of the student's choice.

Mr. MONDALE. Mr. President, this bill takes the basic concept behind these programs and applies it to a larger number of students who do not meet the eligibility requirements of present direct-aid programs. What this bill does that present direct-aid programs do not do, however, is to include an institutional cost-of-education allowance to each grant. This allowance, discussed below, will be paid directly to the institution in which a student chooses to obtain his education.

Aid to postbaccalaureate degree students: Graduate and professional degree students will also be eligible for the student opportunity grant program based on need. In addition, this bill will create a Federal fellowship program which will provide fellowships to graduate students for their last 2 years of work on the Ph. D. or equivalent degree.

The rationale for extending eligibility for the student opportunity grants to graduate and professional degree students is the same for making this aid available to postsecondary vocational and undergraduate students: to remove the financial barrier to higher education.

The cost of attending graduate or professional school is often higher than that of attending undergraduate school. The student, moreover, often cannot count upon family support for graduate school. Table 7 shows that students from high-income families are more likely than student of equal ability from low-income families to attend graduate school. This bill will seek to remove this inequality.

The new fellowships are provided for several reasons.

First, graduate enrollments are increasing at a faster pace than undergraduate enrollments. According to the "Digest of Educational Statistics 1968," graduate enrollments increased by 70.3 percent between the fall of 1960 and 1965. During the same period of time, undergraduate enrollments increased 54.3 percent. This is putting an increasing strain upon present sources of graduate support, many of which are supported by State governments, private endowments, and foundations. We must assure that the flow of this highly trained talent will continue.

Second, most of the present aid provided by the Federal Government for graduate education is tied to the field of study or the type of research a given graduate student undertakes. The effect of this has been to encourage graduate education in some areas while discouraging it in others. According to the U.S. Department of Health, Education, and Welfare publication entitled "Students and Buildings":

In the natural sciences, of the 1958 bachelor degree recipients who attended graduate school, 55 percent held a stipend, and 35.6 percent obtained a graduate degree by 1963. By contrast, in social sciences and education, where the percentage of graduate students receiving stipends was only 36 and 17 percent respectively, the percentage of graduate degree recipients during the 6-year period was lower: 29 and 16 percent for the two disciplines. The availability of stipends was also closely correlated with the percentage of students engaged in full-time study. Natural sciences, with the highest proportion of students benefiting from stipends, had the highest percentage of full-time students, and education and business were in the cellar in terms of both the share of students supported and the share of students who studied full-time.

Third, many of the present federally aided graduate benefits are available only through specific universities which have received the authority to grant these aids. This means that the student must be registered in an institution which participates in a program that dispenses graduate aid.

This bill will eliminate many of these deficiencies. It will not replace present federally aided graduate assistance. Many of these programs have performed successfully and will no doubt continue to do so. But this bill will make eligibility dependent upon ability and need, rather than the field of study or the particular institution in which a student is registered.

Several points I made earlier in this statement are particularly relevant when considering the amount of Federal support which should be directed toward graduate education. It is a particularly costly item in any university's budget. Persons with graduate training are espe-

cially mobile geographically. States are becoming reluctant to undertake this responsibility and to support it at adequate levels. I think that the Federal Government will have to take much more initiative in this area, and this bill provides a good basis for a new thrust in support for graduate education.

Higher education loan bank: The bill charters a private, nonprofit bank with the power to sell securities and lend money to students. The securities and loans will be guaranteed by the Federal Government. Interest and repayment will be deferred—at Federal expense—until after the student finishes school—and for a period of up to 3 years after that for such service as the Peace Corps, VISTA, and the Armed Forces. The charter will permit students to take up to 30 years for repayment. Specific details of this bill are discussed in a summary of the provisions included below.

This bank is needed for several reasons.

First, it will make money available on a national basis to students. At the present time the guaranteed loan program makes it possible for a student to go to his local bank to borrow money, if the money is available there. Very often, it is not. And the student can usually get this credit only in the context of the credit rating of his family at local lending institutions. Some students with academic promise fail to receive these loans because of their family's credit rating.

Second, the bank will be able to tap larger pools of money than does the present guaranteed loan program. Pension funds, insurance investment funds, and other large pools of money may be available to a higher education loan bank. The managers of these funds, however, are unwilling to make this money available on a loan-by-loan basis to students at the present time. This bank will provide a structure whereby these funds may be channeled to students.

Third, loans made by this bank should be somewhat cheaper than present loans. The provisions for the bank isolate its loans from the private market to some extent. The Federal guarantee of the securities sold by the bank and the Government guarantee of the loan itself will reduce the costs of these loans. The use of the Internal Revenue Service to collect these debts will substantially reduce collection costs.

Institutional assistance: This bill provides direct, noncategorical assistance to postsecondary and higher education institutions in the following ways:

First. It provides a cost of education allowance for each student who receives a student opportunity grant. The school will receive \$100 per student aided, plus an amount equal to 25 percent of the excess over \$200 awarded to each first-year student, 30 percent of the excess over \$200 awarded to each second-year student, 35 percent of the excess over \$200 awarded to each third-year student, and 40 percent of the excess over \$200 awarded to each 4 or higher year undergraduate student, and 50 percent of the excess over \$200 awarded to each graduate or professional degree student.

Second. It provides a cost of education allowance for each student who receives a graduate fellowship under the Federal fellowship program. The amount of this



allowance will be equal to an amount of 150 percent of the basic fellowship grant.

The reasons for these cost of education allowances are as follows:

First, the effect of the other provisions of this bill will be to increase college attendance. At the present time, despite the high cost of attending college, student charges do not nearly meet the cost of providing this education. Each student, in effect, receives a subsidy from the college he attends, whether it be public or private. Increasing the number who attend college by new programs of student financial aid would raise the cost to those who would attend without student aid because these subsidies would have to be spread over a larger number of students. The Department of Health, Education, and Welfare publication "Students and Buildings" explains:

For the current college population, tuition and fees average about \$500 per year, and the cost of instruction averages about \$1500. Thus, one can easily speculate that if the total class hours of instruction increased by about 40 per cent—roughly what would be involved if all potential students attended full time—average tuition and fees would have to be raised to about \$780 per year or about 56 percent. This assumes that the average cost of instruction would remain at roughly \$1,500, and that additional instructional expenses would have to be met through increases in tuition.

We must include a cost-of-education allowance to cover the additional cost of educating the persons who receive these Federal benefits.

Second, the cost to colleges of providing education is increasing each year. They need additional funds which each college can use in its area of greatest need. This is a decision which can best be determined by the individual institution. The categorical grants which presently operate will not be replaced by this bill. But the direct cost-of-education grant provided by this bill will obviate some of the deficiencies of categorical grant programs. Categorical grant programs often unduly alter the priorities set by individual institutions. They sometimes influence the university to engage in activities which do not coincide with their greatest needs.

The aid provided by this bill will be spent where local education institutions best believe it should be spent. And they are most capable of making that decision.

Student outreach program: The present student outreach programs, Upward Bound and Talent Search, have identified and helped to motivate thousands of students during the last few years. Without the effort of these programs thousands of students who are now in postsecondary education programs would not be there.

Nevertheless, I believe that additional efforts are needed. The number of able students who are not yet in postsecondary education programs indicates a large field that has yet to be tapped. In addition, the massive Federal effort envisioned by this bill must make its full impact felt by providing new efforts to identify and motivate students to attend college. I think that this can be done by striking out in several new directions.

First, we can involve high school

teachers and students in these efforts more than we do so now. We can do this by providing Federal training courses for high school teachers and counselors and for members of student councils. These courses can provide new ways that these trained persons can keep high school students up-to-date on postsecondary financial aid, study programs, and career possibilities. Many students need assistance in making their future educational plans. We must make certain that they have adequate information on which to base these plans.

Second, we must provide aid to the colleges for their recruitment efforts. Many sensitive educators have long remarked that if the colleges of this country would emphasize academic recruitment of students from low-income families as much as they emphasize the recruitment of athletes, the opportunity disparities between rich and poor students would be much less today. But I want to take advantage of the skill and know-how of universities in recruitment efforts. This bill will provide Federal assistance for this purpose to colleges which develop especially effective efforts at recruitment.

Third, when students and their parents are making postsecondary educational plans they need ready access information about financial aid, career, and college possibilities. This bill will establish higher education opportunity centers throughout the country for this purpose. Most can use existing Federal facilities. Some can use roving recruiters. All can make printed information available at all times.

Fourth, I have been appalled while working on this bill to discover how amazingly little is known about those who do not attend college. We know little about how they can be identified. We know little about what needs to be done to get them positively oriented toward postsecondary education. We know little about the mix of motivation, lack of finances, and ability in determining who does and does not go to college. As a result I think it would be well to establish a special Council on Educational Opportunities within the Office of Education which would have independent responsibility for examining and recommending improvements in this area. With the advice of this Council the Commissioner of Education would first fund research projects—either institutional or individual—designed to develop better ways to identify and motivate students who might potentially benefit from postsecondary education; and, second, develop measures designed to monitor the change in the postsecondary and higher education opportunity structure. This structure should be defined broadly, but it should include measures of the improvement we are making in assuring a college education of all who can benefit from it. We know, for example, that the percentage of high school graduates who attend college each year is increasing. But we do not know whether it is improving as fast—or improving at all—for the poor and lower income groups as it is for the upper income groups, whether it is increasing as fast for our rural youth as for our city youth, and so on.

Finally, the bill establishes an inter-

agency coordinating committee composed of representatives from agencies administering student aid programs. I think we need a structure through which these agencies can regularly exchange information. I think they should have the opportunity to discuss their programs with each other. I believe that they should explore possible ways that they can identify individuals potentially able to benefit from further education and encourage them in this direction.

As a result of just such a meeting I had with representatives from these agencies recently I introduced S. 1638 and S. 1639. These bills respectively amend the social security and railroad retirement programs which provide benefit payments to children of deceased and disabled parents if they remain in school after their 18th birth date. One provision of these bills permits these agencies to notify potential eligibles of these benefits near their 14th birth date. The Veterans' Administration has a similar benefits program and this agency already notifies potential eligibles of their coverage early in the high school years. This is an excellent practice. Students make the decision to attend college early in the high school years. It is then that they must make financial calculations and course decisions which are crucial to the decision to attend college. I think the Railroad Retirement Board and the Social Security Administration should adopt this practice. This is but one example of how various agencies can learn from each other. I want to see it continued.

Mr. President, this is a comprehensive bill. It seeks to attack various problems of higher education in a number of different ways. I think that the need in this area is evident. We must act now to bring fuller educational opportunity to all of our people.

I ask that a summary of the provisions of the bill be included in the Record at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the summary will be printed in the Record.

The bill (S. 1788) to assist in removing the financial barriers to the acquisition of a postsecondary education by all those capable of benefiting from it, introduced by Mr. MONDALE (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The summary, presented by Mr. MONDALE, follows:

#### SUMMARY OF THE MAJOR PROVISIONS OF THE BILL

##### STUDENT OPPORTUNITY GRANTS

The bill authorizes a new program of Student Opportunity Grants. Half-time, three-quarters-time, and full-time students will be eligible for these grants for a period of up to four years (or its part-time equivalent) study for post secondary vocational or undergraduate study. If a student is enrolled in a program which normally requires longer than four academic years for the baccalaureate degree he may receive a grant for a longer period of time, although this will not exceed five academic years or its part-time equivalent.

Graduate and professional students will also be eligible for these grants for a period of time not to exceed four academic years, or its equivalent in part-time enrollment, beyond the baccalaureate degree.

These grants will be awarded solely on the basis of need according to a formula which is discussed below. The student will generally make his application to non-profit agencies authorized by the Commission of Education. These agencies, using the formula contained in this bill, will make the determination of the amount of award for which the student is eligible and notify him of that fact. The only requirement for eligibility in applying is enrollment or presumed admission to a post secondary (including vocational) or higher education institution. The student may opt to attend the institution of his choice, with his award being dispensed through the institution he finally chooses to attend.

Provision for part-time study is included to increase the flexibility of this program as it responds to the needs of students. There are some students whose family finances require that they engage in heavy part-time work loads in order to make enough money to attend school. With part-time work, plus the aid available through this program, a student may be able to attend college who otherwise could not. If he were required to attend full-time he might not have the financial resources to do so.

Students will be able to apply for these grants as early as the 11th grade of high school. Although grants made at that time will be reviewed when the student graduates from high school, it is necessary that the student have an early indication of the amount of aid which will be available to him if he chooses to undertake education beyond the high school level. All accounts suggest that the decision to attend college is made in the early high school years. Attending college requires long term course and finance planning. It is, therefore, necessary to inform the student as early as possible in his high school career as to the availability of money to finance his postsecondary education.

Under the formula, the amount of grant for each student will be a sum equal to the difference between: (a) the national average college attendance cost; and (b) the family contribution plus expected student savings. This grant will not exceed \$1500 or the actual cost for an academic year for a given student at a given university—such costs to include tuition, fees, room, board, books, plus a given amount permitted for such incidental expenses as the Commissioner of Education deems to be reasonably related to the student's educational experience. The minimum grant for a full-time student will be \$200 per year. The Commissioner of Education will also be permitted to provide reduced grants for half-time and three-quarter time students. The basic parts of this formula are defined as follows:

1. The *National Average College Attendance Cost* is an average of undergraduate tuition, fees, room, board, books, and such other expenses as may be reasonably assumed to be related to the student's educational experience, as determined by the Commissioner of Education. This sum would be recomputed every two years or at a shorter interval if the Commissioner of Education determines this to be appropriate.

2. The *Family Contribution* means the amount the family of a given student may be expected to contribute toward the cost of his postsecondary education for the academic year in question. The criteria used in this calculation will be determined by regulations prescribed by the Commissioner of Education. These criteria will include: effective family income (as defined below), the number of dependents in the student's family, and the number of dependents attending or likely to attend institutions of higher education. These regulations will be reviewed, and if necessary, revised, annually. A family's effective income is the annual income minus Federal income tax paid; and minus special categories of expenses arising from unusual family circumstances as de-

fined in the guidelines approved by the Commissioner of Education.

3. *Expected Student Savings* is the amount that students on the average may be expected to save from summer, vacation, or part-time employment which can be applied toward the cost of his postsecondary education for a given year.

The Commissioner of Education can also prescribe special rules determining family contribution in the case of students who are determined to be self-supporting. When a student is determined to be self-supporting, the student will receive, in addition to his grant, an allowance for supporting any dependents. This allowance will be \$300 per dependent, not to exceed a total of \$1,500. This provision will be especially useful for students, who have not received support from their families for several years, to return to school. It will also be helpful in encouraging mothers who head families to return to school.

A cost-of-education allowance will be paid to the educational institution attended by recipients of these grants. This will help to cover the difference between student charges and the actual cost of providing the services connected with the student's educational experience. Institutions attended by students receiving grants will receive for each student aided an amount of \$100 plus a sum equal to: 25 percent of the excess over \$200 awarded to each first year student, 30 percent of the excess over \$200 awarded to each second year student, 35 percent of the excess over \$200 awarded to each third year student, 40 percent of the excess over \$200 awarded to each fourth year student, and 50 percent of the excess over \$200 awarded to each graduate or professional student. The amount the student receives for his dependents will not be included when determining the amount due the educational institution.

The increase in percent of the amount received by the educational institution as the aided student moves through the years of his educational experience recognizes that it costs more to educate students for each additional level they attain.

Educational institutions will also receive an administrative cost allowance for the grants they administer to pay for the cost they incur.

The Student Opportunity Grants will replace the present Educational Opportunity Grants program. The bill provides for a transitional coupling as the program begins and the old one is phased out.

#### FEDERAL FELLOWSHIP PROGRAM

The bill also authorizes a Federal Fellowship Program which will provide awards to assist graduate students of exceptional ability, who also demonstrate financial need, to complete their final two years of study toward the Doctor of Philosophy, or equivalent degree. The number of fellowships authorized is 15,000 for fiscal year 1971, 25,000 for 1972, and 35,000 for 1973. These fellowships will be awarded directly to the student, to study in the institution of his choice.

The stipend of the fellowship will be determined by the Commissioner of Education in accordance with prevailing practices under comparable federally supported programs, except that the stipend will not be less than \$2,800 nor more than \$3,500 for each academic year of study not to exceed two years. An allowance of \$300 per dependent, not to exceed \$1,500, will be paid to the student if he has dependents.

A cost-of-education allowance will be paid to the institution in which the student is pursuing his study. This amount will be one and one-half times the grant to the student (not including the allowance for dependents) less any amount charged the student for tuition.

These fellowships will be based solely on

ability and need. They will not be awarded on the basis of the student's field of study.

#### HIGHER EDUCATION LOAN PROGRAM

The bill also charters a Higher Educational Loan Bank as a private, non-profit corporation. The purpose of this bank will be to provide loans to postsecondary vocational, undergraduate, graduate, and professional students. Students will be eligible for these loans for a period of up to five years for undergraduate work and for up to five years of graduate or professional study, or for an equivalent period of part-time work. They must be enrolled in at least one-half of a normal full-time course of study in order to receive a loan. The student is eligible to borrow an amount which will not exceed the cost of attending school at the institution he attends, less any other federal aid received.

These loans will be guaranteed against default, death, and disability by the Federal Government. Interest payments and repayments of the principal will be deferred until a student has completed his schooling and for a period of time up to three years after that time for such services as the Peace Corps, VISTA, or the Armed Services. There will be no "forgiveness" features similar to those of the National Defense Student Loan program. The Bank, however, will be eligible to establish for each year a low earnings cancellation provision providing for cancelling, in whole or in part, of annual repayment in any year in which the borrower's income fails to reach a minimum level or in which the repayment exceeds a maximum percentage of income. This will encourage persons who might be reluctant to undertake these loans, because of their fear of failure in college work, or because of their hesitation to undertake the obligation of large sums, to do so. Then if their income is very low, part of their loan will be cancelled.

These loans will be collected by the Internal Revenue Service. This will reduce the cost of collecting these loans, and thereby reduce the interest charge on them.

The borrower will be permitted to take up to thirty years to repay his loan.

#### COLLEGE OPPORTUNITIES FOR THE DISADVANTAGED

The bill provides for several programs which will supplement present outreach programs designed to identify and motivate individuals potentially able to do college level work, but who heretofore have not been a part of the higher education opportunity structure.

The bill authorizes new incentive grants to educational institutions which provides a program which gives unusual promise in assisting youths to initiate, resume, or complete their postsecondary education. This will provide these institutions with money to undertake imaginative recruitment efforts.

The bill authorizes new training grants for high school teachers and student leaders to equip them to counsel high school students about the availability of financial assistance and post-secondary educational opportunities.

The bill also establishes Higher Education Opportunity Centers throughout the country. These easily accessible centers will make information available, including appropriate application forms, and furnish guidance and counseling services with respect to all federally assisted programs designed to provide opportunities for education beyond high school, and with respect to attending vocational schools and institutions of higher education.

A Council on College Opportunities is also established by the bill. This Council shall:

a. Review and evaluate, on a regular basis, the effectiveness of programs designed to identify, motivate, and provide financial assistance to low-income youth who are potentially able to attend college but who usually do not do so.

b. Develop administrative procedures to coordinate all federal programs offering opportunities for education beyond high school,



particularly with respect to coordination at the local level of informational services on these programs and to establish procedures for exchanging information among departments or agencies of the Federal Government which administer programs designed to provide educational opportunities beyond high school.

c. Report to the Congress its findings annually, including recommendations for changes in the law. With the advice of this Council, the Commissioner of Education is authorized to:

(a) Fund research projects (either institutional or individual) and pilot demonstrations designed to develop better ways to identify and motivate students who might potentially benefit from postsecondary education.

(b) Fund programs in secondary schools to identify students who are not now motivated to undertake education beyond high school and to determine the means by which such students might be encouraged to begin further educational experiences.

(c) Establish means to monitor the change in the post-secondary and higher education opportunity structure.

#### S. 1789—INTRODUCTION OF A BILL TO AMEND THE INTERNAL REVENUE CODE OF 1954

Mr. BAKER. Mr. President, I introduce, for reference to the proper committee, a bill to amend the Internal Revenue Code of 1954 to increase the individual income tax personal exemption from \$600 to \$1,200.

There can be little question that the present \$600 tax exemption for each dependent is totally unrealistic for the times. The \$600 figure was established in the Revenue Act of 1948—more than 20 years ago—and has not been revised since that time. During these same two decades, however, the cost of living has risen 48.1 percent, based on the level of consumer prices indexes in 1948 and in January 1969. Obviously, the present figure is obsolete and grossly unfair.

An exemption of \$600 per person provides a total exemption of only \$2,400 for a family of four. However, a recent study by the Department of Labor shows that in order to maintain a moderate standard of living today, a family of four needs about \$9,191. Certainly, then, the personal exemption for this family should comprise a greater percentage of their total financial need than the present \$2,400.

Congress is presently considering ways of achieving equity in the tax structure in order that the burden of financing our Government may be distributed more fairly upon all our citizens. The enactment of the measure I propose would be of particular benefit to those in the low- and middle-income brackets and would relieve what many consider to be an undue burden upon these groups.

I believe it is vitally important that we act now to remove the glaring inequities from the tax system, and, in my view, the enactment of the proposal which I introduce today would be an important step in our overall effort to revise the American tax structure.

Mr. President, I ask unanimous consent that the bill be printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred;

and, without objection, the bill will be printed in the RECORD.

The bill (S. 1789) to amend the Internal Revenue Code of 1954 to increase the amount of the deduction for each personal exemption to \$1,200, introduced by Mr. BAKER, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

#### S. 1789

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the following provisions of the Internal Revenue Code of 1954 are amended by striking out "\$600" wherever appearing therein and inserting in lieu thereof "\$1,200":*

(1) Section 151 (relating to allowance of deductions for personal exemptions);

(2) Section 642(b) (relating to allowance of deductions for estates);

(3) Section 6012(a) (relating to persons required to make returns of income); and

(4) Section 6013(b) (3) (A) (relating to assessment and collection in the case of certain returns of husband and wife). (b) The following provisions of such Code are amended by striking out "\$1,200" wherever appearing therein and inserting in lieu thereof "\$2,400":

(1) Section 6012(a) (1) (relating to persons required to make returns of income); and

(2) Section 6013(b) (3) (A) (relating to assessment and collection in the case of certain returns of husband and wife).

Sec. 2 (a) Section 3 of the Internal Revenue Code of 1954 (relating to optional tax if adjusted gross income is less than \$5,000) is amended by adding at the end thereof the following new subsection:

"(c) TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1968.—In lieu of the tax imposed by section 1, there is hereby imposed for each taxable year beginning after December 31, 1968, on the taxable income of every individual whose adjusted gross income for such year is less than \$5,000 and who has elected for such year to pay the tax imposed by this section a tax determined under tables prescribed by the Secretary or his delegate. The tables prescribed under this subsection shall provide for amounts of tax in the various adjusted gross income brackets approximately equal to the amounts which would be determined under section 1 if the taxable income were computed by taking either the 10-percent standard deduction or the minimum standard deduction."

(b) Section 3(b) of such Code is amended by inserting after "December 31, 1964" each place it appears, and before January 1, 1969.

(c) Section 4(a) of such Code is amended by striking out "the tables in section 3" and inserting in lieu thereof "the tables prescribed under section 3".

(d) Paragraphs (2) and (3) of section 4(c) of such Code are amended to read as follows:

"(2) Except as otherwise provided in this subsection, in the case of a husband or wife filing a separate return the tax imposed by section 3 shall be the lesser of the tax shown in the table prescribed under such section which uses the 10-percent standard deduction or in the table which uses the minimum standard deduction.

"(3) The table prescribed under section 3 which uses the minimum standard deduction shall not apply in the case of a husband or wife filing a separate return if the tax of the other spouse is determined with regard to the 10-percent standard deduction, except that an individual described in section 141(d)(2) may elect (under regulations prescribed by the Secretary or his

delegate) to pay the tax shown in such table in lieu of the tax shown in the table which uses the 10-percent standard deduction. For purposes of this title, an election made under the preceding sentence shall be treated as an election made under section 141(d)(2)."

(e) Section 4(f)(4) of such Code is amended to read as follows:

"(4) For nonapplicability of the table prescribed under section 3 which uses the minimum standard deduction in the case of a married individual filing a separate return who does not compute the tax, see section 6014(a)."

(f) The last sentence of section 6014(a) of such Code is amended to read as follows: "In the case of a married individual filing a separate return and electing the benefits of this subsection, the table prescribed under section 3 which uses the minimum standard deduction shall not apply."

Sec. 3. (a) Section 3402(b)(1) of the Internal Revenue Code of 1954 (relating to percentage method of withholding income tax at source) is amended by striking out the table therein and inserting in lieu thereof the following:

#### "Percentage method withholding table

	Amount of one withholding exemption
"Payroll period:	
Weekly	\$27.00
Biweekly	55.80
Semi-monthly	58.60
Monthly	116.00
Quarterly	350.00
Semi-annual	700.00
Annual	1,400.00
Daily or miscellaneous (per day of such period)	3.80"

(b) So much of paragraph (1) of section 3402(c) of such Code (relating to wage bracket withholding) as precedes the first table in such paragraph is amended to read as follows:

"(1) (A) At the election of the employer with respect to any employee, the employer shall (subject to the provisions of paragraph (6)) deduct and withhold upon the wages paid to such employee on or after the 30th day after the date of the enactment of this subparagraph a tax determined in accordance with tables prescribed by the Secretary or his delegate, which shall be in lieu of the tax required to be deducted and withheld under subsection (a). The tables prescribed under this subparagraph shall correspond in form to the wage bracket withholding tables in subparagraph (B) and shall provide for amounts of tax in the various wage brackets approximately equal to the amounts which would be determined if the deductions were made under subsection (a).

"(B) At the election of the employer with respect to any employee, the employer shall (subject to the provisions of paragraph (6)) deduct and withhold upon the wages paid to such employee before the 30th day after the date of the enactment of this subparagraph a tax determined in accordance with the following tables, which shall be in lieu of the tax required to be deducted and withheld under subsection (a)."

Sec. 4. The amendments made by the first two sections of this Act shall apply to taxable years beginning after December 31, 1968. The amendments made by section 3 of this Act shall apply with respect to remuneration paid on or after the 30th day after the date of the enactment of this Act.

#### S. 1790—INTRODUCTION OF A BILL PROVIDING FOR A GREAT PLAINS CONSERVATION PROGRAM

Mr. YOUNG of North Dakota. Mr. President, I introduce, for appropriate reference, a bill to extend the authority

for the Great Plains conservation program.

The objective of the Great Plains conservation program is to assist farmers and ranchers to develop for land-use programs which will help avert many of the hazards that come with drought common to that region.

It is aimed at preserving and enhancing the great productive capacity of the Great Plains. It rests on the foundation blocks of further conservation and wise use and management of the area's soil and water resources. It recognizes that if the agriculture of the region is to be stable certain portions ought to be permanently removed from cultivation.

The original Great Plains Conservation Act authorized appropriations of up to \$150,000,000 for conservation practices throughout this vast section of the Nation's midland. This authority expires on December 31, 1971.

Expenditures under this program are approaching the limitations set in the original act. The proposed legislation would extend the authority for 10 years and would authorize an additional \$150,000,000 for work under this program. Several other minor improvements are also included in the bill to enable it to more adequately meet the needs of the Great Plains area today.

#### SEVERE CLIMATIC VARIATIONS

The Great Plains region is an area of severe climatic variations which periodically produce widespread suffering and heavy economic losses. In this region farm and ranch families have a continuous struggle to protect their best cultivated and grazing lands against soil erosion during seasons of high winds and frequent periods of extremely dry weather.

Because these problems directly concern the lives and prosperity of millions of American citizens, the Nation as a whole is directly concerned. Because all Americans are concerned with the maintenance and improvement of our soil and water resources, we all have an interest in the solution of agricultural problems in the vast Great Plains area.

#### BASIC POLICIES

I should like to cite 10 of the basic policies of the Great Plains conservation program:

First. The program emphasizes land use changes, wind erosion control and moisture conservation and management practices which provide, over a period of years, the most enduring conservation benefits for purposes of supporting a stable agriculture.

Second. The program is voluntary on the part of the individual producer.

Third. A plan of farming or ranching operations, including a schedule for conservation treatment, is a prerequisite to participation in the program.

Fourth. The program is in addition to other Department of Agriculture programs. Any phase of other programs that contribute to conservation objectives may be used by the producer to carry out his plan of operation.

Fifth. The producer is responsible for developing and carrying out his plan of operation. The Soil Conservation Service

provides competent technical assistance to producers requesting it.

Sixth. The Department of Agriculture offers long-term contracts under which the Secretary makes commitments to share the cost of establishing conservation practices provided for in his farm or ranch plan. These cost-share contracts range from 3 to 10 years.

Seventh. The producer is encouraged to carry out his plan of operation in the shortest period consistent with conditions and his resources.

Eighth. Rental-type payments are not made under this program.

Ninth. The producer may use for grazing or other purposes the land established in vegetative cover.

Tenth. Local soil and water conservation districts are encouraged to assume leadership in facilitating the program.

#### PROGRAM SUCCESSFUL

The program applies only to counties designated by the Secretary of Agriculture in the 10 Great Plains States. There are 423 counties in the 10 States. I would like to insert in the Record at this point a listing of the designated counties in the 10 Great Plains States.

This is the 13th year of operation for the Great Plains conservation program. It has proved to be particularly popular and successful. It has brought more than 32,000 farm and ranch operators under contract with the Department of Agriculture to provide conservation plans on more than 57 million acres.

In my own State of North Dakota, more than 3,600 farmers are participating in the Great Plains conservation program. They have voluntarily signed up to place more than 4,800,000 acres under conservation plans. Of this total acreage, more than 315,000 acres have been removed from crop production and placed in grass. Other practices have involved installation of strip cropping programs, the planting of shelter belts, the establishment of grassed waterways, land leveling, improvement of livestock watering facilities, and the countless other practices which will conserve and stabilize our most precious resources, the soil.

As the program nears the date of expiration, the demand for the long term cost-sharing contracts continues to grow. The 1968 fiscal year ended with a backlog of more than 5,000 unserved applications. In fiscal year 1968 3,227 new contracts were signed covering 5,176,284 acres, obligating all the funds available for cost-sharing and technical assistance for the year.

A major effect of the program is to bring about the conversion to permanent vegetation of cropland unsuitable for sustained cultivation under the conditions of the plains. Contracts signed in 1968 call for such conversion of 135,975 acres, about 18 percent, of the cropland on the farms and ranches involved. To date, more than 1,800,000 acres of cropland conversion has been accomplished under this program. This acreage has been removed from the production of other crops, many of which are in surplus, at a cost far below that of other acreage diversion and land retirement programs.

This is a good beginning, but the job is far from complete. The critical conservation needs of the area cannot be met by the 1971 expiration date. Therefore, there is need to have the authority extended for 10 years.

The minor improvements included in this bill would—

First. Confirm the role that soil and water conservation districts are playing in implementing the program under the present authority.

Second. Provide additional latitude to the Secretary of Agriculture to determine the adequacy of control of operating units to make possible, under certain conditions, contracts on land where annual leases are customary.

Third. Provide for the Secretary of Agriculture to enter into a few contracts on land units not generally considered farms or ranches where serious erosion problems exist.

Fourth. Provide for the addition of practices that will help cope with agricultural pollution problems.

Fifth. Recognize the need for measures to enhance the fish, wildlife and recreation resources of the Great Plains.

I am joined in cosponsoring this legislation by my colleagues Senator MUNDT, Senator TOWER, Senator CURTIS, Senator DOLE, Senator ALLOTT, and Senator DOMINICK.

I ask unanimous consent that a list of designated counties be printed at this point in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the list will be printed in the Record.

The bill (S. 1790) to amend the act of August 7, 1956 (70 Stat. 1115), as amended, providing for a Great Plains conservation program, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

The list, presented by Mr. YOUNG of North Dakota, follows:

#### GREAT PLAINS CONSERVATION PROGRAM [Designated counties as of December 15, 1968]

##### COLORADO (36)

Adams, Alamosa, Arapahoe, Baca, Bent, Boulder, Cheyenne, Conejos, Costilla, Crowley, Custer, Douglas, Elbert, El Paso, Fremont, Huerfano, Jefferson, Kiowa, Kit Carson, Larimer, Las Animas, Lincoln, Logan, Morgan, Otero, Park, Phillips, Prowers, Pueblo, Rio Grande, Saguache, Sedgwick, Teller, Washington, Weld, Yuma.

##### KANSAS (62)

Barber, Barton, Cheyenne, Clark, Cloud, Comanche, Decatur, Edwards, Ellis, Ellsworth, Finney, Ford, Gove, Graham, Grant, Gray, Greeley, Hamilton, Harper, Harvey, Haskell, Hodgeman, Jewell, Kearny, Kingman, Kiowa, Lane, Lincoln, Logan, McPherson.

Meade, Mitchell, Morton, Ness, Norton, Osborne, Ottawa, Pawnee, Phillips, Pratt, Rawlins, Reno, Republic, Rice, Rooks, Rush, Russell, Saline, Scott, Sedgwick, Seward, Sheridan, Sherman, Smith, Stafford, Stanton, Stevens, Sumner, Thomas, Trego, Wallace, Wichita.

##### MONTANA (37)

Big Horn, Blaine, Carbon, Carter, Cascade, Chouteau, Custer, Daniels, Dawson, Fallon, Fergus, Garfield, Glacier, Golden Valley, Hill, Judith Basin, Liberty, McCone, Musselshell, Petroleum, Phillips, Pondera, Powder River, Prairie, Richland, Roosevelt, Rosebud, Sheri-



dan, Stillwater, Sweet Grass, Teton, Toole, Treasure, Valley, Wheatland, Wibaux, Yellowstone.

## NEBRASKA (60)

Adams, Antelope, Arthur, Banner, Blaine, Boone, Box Butte, Boyd, Brown, Buffalo, Chase, Cherry, Cheyenne, Clay, Custer, Dawes, Dawson, Deuel, Dundy, Franklin, Frontier, Furnas, Garden, Garfield, Gosper, Grant, Greeley, Hall, Hamilton, Harlan.

Hayes, Hitchcock, Holt, Hooker, Howard, Kearney, Keith, Keya Paha, Kimball, Lincoln, Logan, Loup, McPherson, Merrick, Morrill, Nance, Nuckolls, Perkins, Phelps, Red Willow, Rock, Scotts Bluff, Sheridan, Sherman, Sioux, Thayer, Thomas, Valley, Webster, Wheeler.

## NEW MEXICO (18)

Chaves, Colfax, Curry, DeBaca, Eddy, Guadalupe, Harding, Lea, Lincoln, Mora, Quay, Roosevelt, San Miguel, Santa Fe, Socorro, Taos, Torrance, Union.

## NORTH DAKOTA (30)

Adams, Billings, Bottineau, Bowman, Burke, Burleigh, Divide, Dunn, Emmons, Golden Valley, Grant, Hettinger, Kidder, Logan, McHenry, McIntosh, McKenzie, McLean, Mercer, Morton, Mountrail, Oliver, Renville, Sheridan, Sioux, Slope, Stark, Stutsman, Ward, Williams.

## OKLAHOMA (30)

Alfalfa, Beaver, Beckham, Blaine, Caddo, Canadian, Cimarron, Comanche, Cotton, Custer, Dewey, Ellis, Garfield, Greer, Grady, Grant, Harmon, Harper, Jackson, Jefferson, Kingfisher, Kiowa, Major, Roger Mills, Stephens, Texas, Tillman, Washita, Woods, Woodward.

## SOUTH DAKOTA (39)

Aurora, Bennett, Brule, Buffalo, Butte, Campbell, Charles Mix, Corson, Custer, Dewey, Douglas, Edmunds, Fall River, Faulk, Gregory, Haakon, Hand, Harding, Hughes, Hyde, Jackson, Jerauld, Jones, Lawrence, Lyman, McPherson, Meade, Mellette, Pennington, Perkins, Potter, Shannon, Stanley, Sully, Todd, Tripp, Walworth, Washabaugh, Ziebach.

## TEXAS (99)

Andrews, Archer, Armstrong, Bailey, Baylor, Borden, Brisco, Brown, Callahan, Carson, Castro, Childress, Clay, Cochran, Coke, Coleman, Collingsworth, Concho, Cottle, Crane, Crockett, Crosby, Dallam, Dawson, Deaf Smith, Dickens, Donley, Eastland, Ector, Fisher, Floyd, Foard, Gaines, Garza, Glasscock, Gray, Hale, Hall, Hansford, Hardeman, Hartley, Haskell, Hemphill, Hockley, Howard, Hutchinson, Irion, Jack, Jones, Kent.

King, Knox, Lamb, Lipscomb, Loving, Lubbock, Lynn, McCulloch, Martin, Menard, Midland, Mitchell, Montague, Moore, Motley, Nolan, Ochiltree, Oldham, Palo Pinto, Parmer, Pecos, Potter, Randall, Reagan, Reeves, Roberts, Runnels, Schleicher, Scurry, Shackelford, Sherman, Stephens, Sterling, Stonewall, Sutton, Swisher, Taylor, Terrell, Terry, Throckmorton, Tom Green, Upton, Ward, Wheeler, Wichita, Winkler, Wilbarger, Yoakum, Young.

## WYOMING (12)

Albany, Campbell, Converse, Crook, Goshen, Johnson, Laramie, Natrona, Niobrara, Platt, Sheridan, Weston.

# S. 1791—INTRODUCTION OF A BILL TO FURTHER SECURE PERSONAL PRIVACY AND TO PROTECT THE CONSTITUTIONAL RIGHT OF PEOPLE TO IGNORE CERTAIN UNWARRANTED GOVERNMENTAL QUESTIONNAIRES

Mr. ERVIN. Mr. President, next week the Subcommittee on Constitutional Rights of the Judiciary Committee will commence a series of hearings on pri-

vacy, Federal questionnaires, and constitutional rights.

On Thursday, April 24, the subcommittee will meet at 10:30 a.m. in room 1318 of the New Senate Office Building. We shall hear briefly from a number of citizens who, I believe, will be representative of thousands from every walk of life who have complained to Congress about unwarranted invasion of their personal privacy and about increased harassment by Government agencies in their everlasting quests for information.

Following this, Prof. Arthur S. Miller, of the George Washington University Law Center, will discuss the constitutional issues raised by such complaints, the role of public law, and some of the questions surrounding use of Federal criminal and civil laws or administrative sanctions in order to acquire personal information from individuals.

On Friday, April 25, the subcommittee will meet at 10:30 a.m. in room 2228 of the New Senate Office Building. At that time Congressman JACKSON E. BETTS, of Ohio, will describe for the Senate his research into the Federal laws and practices affecting individual privacy, and his proposals for limiting some coercion now used against citizens to acquire answers to Government questionnaires, especially those used in the decennial census.

Other witnesses on that day will include Prof. Arthur R. Miller, of the University of Michigan Law School, and Prof. Charles Freid, of the Harvard Law School, who will discuss some vitally important issues relating to privacy and the individual in today's society. Executive branch witnesses will testify at a later date.

Congress has received thousands of complaints from citizens about unwarranted privacy invasion through pressure and intimidation to tell all about themselves and their households. In many instances, the sanctions of the Federal criminal and civil laws are used for this purpose. I believe these complaints raise severe constitutional rights issues under the first, fourth and fifth amendments to the Constitution, but principally under the first amendment.

It is my hope that through this investigation and these hearings, Congress will be able to establish just what rights and duties a citizen has who receives a Government questionnaire.

In connection with this subject I am introducing for study a bill to further secure personal privacy and to protect the constitutional right of people to ignore certain unwarranted governmental questionnaires.

The background and scope of the problem was outlined in a letter to Secretary of Commerce Maurice H. Stans, inviting him or his representative to testify before the subcommittee. I ask unanimous consent to have the letter printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JANUARY 27, 1969.

HON. MAURICE H. STANS,  
Secretary of Commerce,  
Department of Commerce,  
Washington, D.C.

DEAR MR. SECRETARY: In the course of the Constitutional Rights Subcommittee study of

privacy and individual rights, the Subcommittee has received numerous letters, telegrams and phone calls from citizens throughout the country complaining that various questionnaires distributed under the auspices of the Census Bureau of the Commerce Department constitute unwarranted invasions of the privacy of the citizens, and in some instances are burdensome devices for collecting extensive repetitive data which is irrelevant for the purposes of government. These complaints consistently reveal resentment at the governmental intrusion, apprehension over the consequences of reply or a non-reply, and chagrin that Congress has done nothing to clarify the situation or to establish guidelines and limitations for the activities of those charged with collecting Federal data.

In view of the significance of this subject for every citizen, I believe it is essential that Congress conduct a careful and comprehensive review of the public policy and the constitutional and legal issues involved.

The Constitutional Rights Subcommittee is therefore scheduling public hearings to consider these matters. Since your views as Secretary of the Department of Commerce will be invaluable in Congressional consideration of this national issue, we hereby extend to you an open invitation to appear before the Subcommittee in February or March to describe your Department's authority and purpose in collecting information from citizens. We are interested not only in the rights of citizens in surveys conducted by the Census Bureau for its own purposes, but also those undertaken for other Federal agencies. One example of this is the recent questionnaire sent to disabled veterans on behalf of the Veterans Administration requiring a full-scale revelation of the veteran's personal and family financial situation.

The new decennial Census questionnaires will be distributed shortly, and it is therefore our hope that you will be able to testify in February. It is urgent, I believe, that the American people hear from you personally what rights they have and what duties they owe with respect to the new questionnaires. The series of Subcommittee hearings will provide that forum. By affording you and other Federal agency heads the chance to testify on this subject along with constitutional law experts and ordinary citizens, the hearings will also initiate a long-delayed dialogue between citizens and government on this crucial issue. From this dialogue, we hope there will evolve a better understanding of the proper roles of both citizens and Federal officials.

With appreciation for your assistance in our study and with all kind wishes, I am

Sincerely yours,

SAM J. ERVIN, JR.,

Chairman.

Mr. ERVIN. Mr. President, the members of the subcommittee are Senator JOHN McCLELLAN, of Arkansas; Senator EDWARD M. KENNEDY, of Massachusetts; Senator BIRCH BAYH, of Indiana; Senator ROBERT C. BYRD, of West Virginia; Senator ROMAN L. HRUSKA, of Nebraska; Senator HIRAM L. FONG, of Hawaii; and Senator STROM THURMOND, of South Carolina.

I introduce the bill for appropriate reference, and I ask unanimous consent that the text of the bill be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1791) to further secure personal privacy and to protect the constitutional right of individuals to ignore unwarranted governmental requests for

personal information introduced by Mr. ERVIN, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 1791

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall be unlawful for any officer or employee of any executive branch or any executive agency of the United States Government, or for any person acting or purporting to act under his authority—

(1) to require or to attempt to require any individual to disclose for statistical purposes any information concerning his personal or financial activities or those of any member of his family or concerning his personal or real property or that of any member of his family unless the information is sought as a result of a specific provision of the Constitution and a specific Act of Congress, in which case the disclosure shall be mandatory and the individual shall be informed under which constitutional provision and which Act of Congress the disclosure is mandatory; or

(2) To request or attempt to request any person in the United States to disclose for statistical purposes any information concerning his personal or financial activities or those of any member of his family, or concerning his personal or real property or that of any member of his family, unless such request has been specifically authorized by Act of Congress, in which case the individual shall be advised that such disclosure is voluntary and that he is not compelled to comply with such request.

#### S. 1794—INTRODUCTION OF A BILL ON TAX REFORM

Mr. MOSS. Mr. President, tomorrow is the "ides of April," and millions of Americans are today dropping their Federal income tax returns into the mailbox—and burning with indignation and resentment as they do so.

They feel they are not getting fair treatment from their Government under the present tax system. They are perfectly willing to pay their share of their taxes, but they are not willing to be taxed under a system that is erratic, unjust, replete with favoritism, and unnecessarily damaging to their way of living and to their economic plans and interests. I agree with them.

I have just returned from Utah where I had an opportunity to talk with many people personally. Let me tell you that the "taxpayer's revolt" we have been reading about, and seeing reflected in our mail, is real and it is earnest. It grows in strength every day.

In my estimation, tax reform is the most urgent problem facing this Congress. It is not right to ask the average, middle-income or low-income taxpayer—the men and women who are the backbone of America—to pay such a large burden in taxes when there are millionaires who pay no taxes at all because of tax loopholes.

It makes me angry, too, to know that in 1965 and 1966 more than 150 persons with annual incomes of above \$200,000 paid absolutely no taxes at all. Nor do I like it when I hear that more than half of the taxpayers whose income is over \$1 million pay a tax rate at less than 30 percent. Our system is supposed to be based on ability to pay—wealthy people are

supposed to pay a progressively higher rate than those in the lower brackets—yet because of special deductions and loopholes they pay what is for them little more than the cost of some new luxury.

To correct these inequities, we must move in two directions at once.

We must reduce the burden on the middle and lower income taxpayers, and we must close the tax loopholes which allow the very rich to pay very little in taxes, or in some instances, to pay no taxes at all.

I am taking the first step in this program today by introducing a bill to increase the personal income tax exemption to \$1,200. This is the quickest and most equitable way to give relief to the mass of taxpayers.

The current exemption of \$600 has been in effect for 20 years. It was adopted first in 1948 following World War II, and it has not been changed since that time. The consumer price index has risen almost 50 percent since 1948, but we have made absolutely no adjustment in the personal tax exemption. We have kept it at the same level because we have relied on it to meet our needs for revenue, rather than considering the needs and problems of the citizens whose country this is.

I plan to take additional steps to reform our tax structure. There are many tax loopholes which must be closed. We should make a thorough study of tax exempt foundations—more than 30,000 of them are virtually uncontrolled by the Treasury—of depletion allowances, charitable contributions, estate taxes, real estate shelters and tax free bonds, to mention only a few areas.

I question whether the time has not come to repeal the 7-percent investment tax credit which pumps \$3 million a year into the overheated economy by allowing industries large discounts through the tax laws on purchases of plant and equipment.

And there are many other fields which should be carefully examined. I realize that the House Ways and Means Committee has some studies now underway, and I hope will have some recommendations soon. Legislation must be considered this session which will begin to correct some of the inequities and catch some of the tax dodgers.

Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code of 1954 to increase the amount of the deduction for each personal exemption to \$1,200.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1794) to amend the Internal Revenue Code of 1954 to increase the amount of the deduction for each personal exemption to \$1,200, was received, read twice by its title, and referred to the Committee on Finance.

#### S. 1795—INTRODUCTION OF A BILL TO AMEND THE INTERNAL REVENUE CODE OF 1954

Mr. RIBICOFF. Mr. President, for myself and 26 other Senators, I introduce a bill to amend the Internal Revenue Code of 1954 in an effort to encourage and accelerate the attack against air and water pollution by private industry.

This bill would permit, for Federal income tax purposes, the amortization of the cost of pollution abatement equipment over a period of 3 years rather than over the period of the equipment's useful life.

Mr. President, this Nation is daily becoming more aware and worried about the growing menace of our deteriorating environment. The increasing incidents of dirty air and water in America are cause for widespread concern and shame. Time is running short when we can take effective action to clean up this pollution.

The foundation for a national effort against this problem was laid in the comprehensive air and water pollution control legislation which has passed Congress in the last 5 years. But Federal legislation is not enough by itself. To launch a truly effective assault against air and water pollution we must join private industry as a full-fledged partner in the effort. The bill which I introduce today seeks to encourage this partnership by providing a tax incentive to industry to purchase and utilize the best pollution abatement equipment available.

If we are to clean up this Nation's air and water a significant part of the task will fall to private industry. But we cannot simply point to industry as the culprit and expect the job to be done overnight. Unfortunately, in today's polluted environment, clean air and water are no longer free. We cannot hide the fact that the development, purchase and installation of the most sophisticated pollution control equipment will be an expensive undertaking. Unlike capital expenditures for other equipment, pollution abatement equipment will not materially enhance a company's profits. This kind of investment is an investment in the public welfare, and we must be realistic and ask the public to bear a small share of the cost.

The benefits will far outweigh any tax loss. By encouraging industry to take immediate steps to curb pollution, we insure the greater success of Federal, State and local control programs. Today, all levels of government are establishing pollution standards. But mere standards are not sufficient. We must seek to encourage compliance with these regulations at the earliest possible date. Therefore, I believe tax incentives in this field are a justifiable expense which will return a public benefit many times over.

A major part of this country's air and water pollution can be traced directly to industrial activity. Therefore, industry must bear a great burden of the cleanup effort. But industrial pollution will be a costly matter to wipe out. Complying with Government pollution regulations will be expensive and, frankly, the more expensive it is, the longer it will take to make real progress.

According to recent statistics, factories which install efficient anti-air-pollution equipment may face a 5- to 20-percent increase in costs. At some locations pollution abatement equipment may cost more than the actual production facilities.

In turn, water pollution control devices are equally expensive. One estimate for example, puts the cost of industrial water pollution control to the year 2000 at \$32 billion.

The plain fact is that the high cost of



clean air and water will simply delay the time when clean air and water become a reality unless the cost is shared.

For some marginal plants the cost of such equipment may be prohibitive; for others the expense will encourage delay. I believe the enactment of tax incentives in this area will eliminate any excuses for the failure to clean up industrial wastes.

Under present law a taxpayer who buys equipment to abate pollution may take a depreciation deduction for such equipment over the years of its useful life. However, some of this equipment may have a life of 20 years or more, and the deductions each year are relatively small. At the present time the capital expenditures for pollution control equipment are treated in the same manner as other capital expenditures—despite the fact that the money spent does not return a profit.

By allowing a taxpayer to depreciate his equipment for tax purposes in 3 years, there is a greater incentive to install such equipment.

To qualify for this special treatment the appropriate state pollution control agency must certify to the Federal Government that the equipment is in conformity with State standards and pollution control programs. For water pollution control equipment, this certification will go to the Federal Water Pollution Control Administration; for air pollution it will go to the Department of Health, Education, and Welfare or the Secretary of the Interior will certify to the Secretary of the Treasury that the equipment meets minimum Federal standards and is in furtherance of the policy of the United States to cooperate with the States in preventing pollution.

Our tax laws already provide economic incentives in several areas. Research and experimental expenditures can be deducted immediately. Capital expenditures for water and soil conservation can also be deducted currently. The same treatment is afforded exploration expenditures in search of minerals. I believe that the national interest calls for similar treatment for expenditures related to improving the condition of our water and air.

We cannot realistically expect to attain our goals without the full cooperation of private industry. This legislation will encourage such cooperation at a small cost. The Joint Committee on Internal Revenue Taxation has estimated that rapid amortization of abatement equipment would cost the general revenue between \$50 and \$150 million annually for 3 years. This loss would decline after 3 years.

Mr. President, I am pleased to have join me in sponsoring this bill the following Senators: BENNETT, BIBLE, BOGGS, BROOKE, BYRD of West Virginia, DODD, ERVIN, FANNIN, GRAVEL, GURNEY, INOUE, JACKSON, MATHIAS, MCGEE, MCINTYRE, MILLER, MOSS, MUSKIE, PACKWOOD, PELL, RANDOLPH, SAXBE, SCOTT, THURMOND, TOWER, and TYDINGS.

I ask unanimous consent that the bill be printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1795) to amend the In-

ternal Revenue Code of 1954 to encourage the abatement of water and air pollution by permitting the amortization for income tax purposes of the cost of abatement works over a period of 36 months, introduced by Mr. RIBICOFF (for himself and other Senators), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 1795

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to itemized deductions for individuals and corporations) is amended by adding at the end thereof the following new section:*

"Sec. 183. Amortization of works to abate water and air pollution.

"(a) ALLOWANCE OF DEDUCTION.—Every taxpayer shall, at his election, be entitled to a deduction, in lieu of the deduction provided by section 167, with respect to the amortization, on the straight line method, of the adjusted basis (for determining gain) of any certified water pollution abatement works or any certified air pollution abatement works based on a period of 36 months. The 36-month period shall begin as to any such works with the first month for which a deduction under section 167 would (without regard to this section) be allowable.

"(b) ELECTION.—

"(1) TIME.—The election provided by subsection (a) shall be made with respect to any certified abatement works not later than the time prescribed by law (including extensions thereof) for filing the returns for the taxable year in which the Federal certifying authority makes a certificate with respect to such works as provided in subsection (c) (1) (B).

"(2) MANNER; REVOCATION.—The election provided by subsection (a)—

"(A) shall be made in such manner as the Secretary or his delegates shall prescribe by regulations; and

"(B) may not be revoked except with the consent of the Secretary or his delegate.

"(c) DEFINITIONS.—For purposes of this section—

"(1) Certified water and air pollution abatement works.—The terms 'certified water pollution abatement works' and 'certified air pollution abatement works' mean so much of any property of a character subject to the allowance for depreciation provided in section 167 which is used to abate water or atmospheric pollution or contamination, respectively, by removing or altering pollutants, contaminants, and wastes from any type of manufacturing process, as—

"(A) the State certifying authority has certified to the Federal certifying authority as having been construed, erected, installed, or acquired in conformity with the State program or requirements for abatement of water or atmospheric pollution or contamination; and

"(B) the Federal certifying authority has certified to the Secretary or his delegate as meeting the minimum performance standards described in subsection (d), and as being in furtherance of the general policy of the United States for cooperation with the States in the prevention and abatement of water pollution under the Federal Water Pollution Control Act, as amended (33 U.S.C. 466 et seq.), or in the prevention and abatement of atmospheric pollution and contamination under the Clean Air Act, as amended (42 U.S.C. 1857 et seq.).

"(2) STATE CERTIFYING AUTHORITY.—The term 'State certifying authority' means, in the case of water pollution abatement works, the State water pollution control agency as defined in section 13(a) of the Federal Water Pollution Control Act and, in the case of air

pollution abatement works, the air pollution control agency as defined in section 302(b) of the Clean Air Act.

"(3) FEDERAL CERTIFYING AUTHORITY.—The term 'Federal certifying authority' means, in the case of water pollution abatement works, the Secretary of the Interior and, in the case of air pollution abatement works, the Secretary of Health, Education, and Welfare.

"(d) Authorization of Secretaries of Interior and of Health, Education, and Welfare to Set Standards, etc.—

"(1) PERFORMANCE STANDARDS.—The Federal certifying authority shall from time to time promulgate minimum performance standards for purposes of subsection (c) (1) (B), taking into account advances in technology and specifying the tolerance of such pollutants and contaminants as shall be appropriate.

"(2) PROFITMAKING ABATEMENT WORKS.—The Federal certifying authority shall not certify any property under subsection (c) (1) (B) to the extent it appears that, by reason of profits derived through the recovery of wastes or otherwise in the operation of such property, its cost will be recovered over its actual useful life.

"(e) ALLOCATION OF BASIS.—In the case of property a portion of which is certified water or air pollution abatement works for which an election has been made under subsection (a), the adjusted basis of such property shall, under regulations prescribed by the Secretary or his delegate, be properly allocated between the portion which is a certified abatement works and the portion which is not a certified abatement works.

"(f) CROSS REFERENCE.—

"For special rule with respect to certain gain derived from the disposition of property the adjusted basis of which is determined with regard to this section, see section 1245."

"(b) (1) The table of sections for part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new item:

"Sec. 183. Amortization of works to abate water and air pollution."

"(2) Section 46(c) of such Code (relating to qualified investment) is amended by adding at the end thereof the following new paragraph:

"(5) WATER AND AIR POLLUTION ABATEMENT WORKS.—For purposes of paragraph (2), the useful life of any property shall be determined without regard to section 183."

"(3) Section 642(f) of such Code (relating to special rules for credits and deductions of estates and trusts) is amended—

"(A) by striking out "Amortization of Emergency or Grain Storage Facilities" in the heading of such section and inserting in lieu thereof "Amortization Deductions"; and

"(B) by inserting after "169" in the first sentence of such section, and for amortization of certified water or air pollution abatement works provided by section 183."

"(4) Section 1245(a) of Such Code (relating to gain from disposition of certain depreciable property) is amended—

"(A) by striking out "or" at the end of paragraph (2) (A);

"(B) by inserting "or" at the end of paragraph (2) (B) and by inserting after such paragraph the following new subparagraph:

"(C) with respect to any property referred to in paragraph (3) (D), its adjusted basis recomputed by adding thereto all adjustments, attributable to periods beginning with the first month for which a deduction for amortization is allowed under section 183,";

"(C) by striking out "section 168" each place it appears in paragraph (2) and inserting in lieu thereof "section 168 or 183";

"(E) by striking out the period at the end of paragraphs (3) (A) and (B);

"(D) so much of any real property (other than paragraph (3) (C) and inserting in lieu thereof "or"; and

(F) by adding at the end of paragraph (3) the following new subparagraph:

"(D) so much of any real property (other than any property described in subparagraph (B)) as is a certified water or air pollution abatement works which has an adjusted basis in which there are reflected adjustments for amortization under section 183."

(c) The amendment made by this section shall apply to taxable years ending on or after the date of the enactment of this Act but only with respect to property as to which the first month for which a deduction would be allowable under section 167 of the Internal Revenue Code of 1954 ends on or after such date.

#### S. 1796—INTRODUCTION OF A BILL TO AMEND SECTION 510, TITLE V OF THE INTERNATIONAL CLAIMS SETTLEMENT ACT OF 1949, AS AMENDED

Mr. FULBRIGHT. Mr. President, by request, I introduce, for appropriate reference, a bill to amend section 510, title V of the International Claims Settlement Act of 1949, as amended, to provide for the extension of time within which the Foreign Claims Settlement Commission shall continue its affairs in connection with the settlement of claims against the Government of Cuba.

The bill has been requested by the Chairman of the Foreign Claims Settlement Commission and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill be printed in the RECORD at this point, together with the letters from the Chairman of the Commission dated January 14, 1969, and from the general counsel of the Commission dated March 21, 1969.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and letters will be printed in the RECORD.

The bill (S. 1796) to amend section 510, title V of the International Claims Settlement Act of 1949, as amended, to provide for the extension of time within which the Foreign Claims Settlement Commission shall complete its affairs in connection with the settlement of claims against the Government of Cuba, introduced by Mr. FULBRIGHT, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

S. 1796

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 510, title V of the International Claims Settlement Act of 1949, as amended, is amended to read as follows:

"SEC. 510. The Commission shall complete its affairs in connection with the settlement of claims pursuant to the provisions of section 503(a) of this title not later than (1) five and one-half years following the final filing date with respect to claims against the Government of Cuba; and, (2) three years

following the final filing date with respect to claims against the Chinese Communist regime."

The letters, presented by Mr. FULBRIGHT, follow:

FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES,  
Washington, D.C., March 21, 1969.

Hon. J. W. FULBRIGHT,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The Bureau of the Budget has advised the Foreign Claims Settlement Commission by letter dated March 18, 1969, that a reclearance had been made with respect to a draft bill, "To amend section 510, Title V of the International Claims Settlement Act of 1949, as amended, to provide for the extension of time within which the Foreign Claims Settlement Commission shall continue its affairs in connection with the settlement of claims against the Government of Cuba", in that there would be no objection to the Commission's continued support of the draft bill from the standpoint of the Administration's program.

The draft bill was transmitted to the President of the Senate as an attachment to the Commission's letter dated January 14, 1969, and was referred to your Committee on January 16, 1969.

Sincerely yours,

ANDREW T. MCGUIRE,  
General Counsel.

FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES,  
Washington, D.C., January 14, 1969.

Hon. HUBERT H. HUMPHREY,  
President of the Senate,  
Washington, D.C.

DEAR MR. PRESIDENT: Transmitted herewith in behalf of the Executive Branch for the consideration of the 91st Congress is the draft of a proposed bill entitled, "A Bill to amend section 510, Title V of the International Claims Settlement Act of 1949, as amended, to provide for the extension of time within which the Foreign Claims Settlement Commission shall complete its affairs in connection with the settlement of claims against the Government of Cuba."

In effect the draft bill proposed to extend for an additional two and one-half years the program under which the Foreign Claims Settlement Commission is authorized to administer claims of United States nationals against the Government of Cuba as authorized by Title V of the International Claims Settlement Act of 1949, as amended.

Title V of the Act directs the Commission, among other things, to receive and determine in accordance with applicable law the amount and validity of claims of nationals of the United States against the Government of Cuba arising since January 1, 1959, for losses resulting from the nationalization, expropriation, intervention, or other taking of property owned at the time by nationals of the United States provided that such claims be filed within a certain period. The filing period as established under the Act terminated on May 1, 1967. Over 7,400 claims were received by the Commission under this program plus an additional 886 claims held open for American citizens still in Cuba.

Section 510 of Title V of the Act provides, in effect, that the Commission complete its affairs in connection with the settlement of these claims not later than 3 years following the final date for filing claims. This date was thus established as May 1, 1970.

Annual personnel requirements with respect to the program were projected over this three year settlement period in order to meet the deadline settlement period. Severe appropriations cuts, however, by the Congress with respect to the Commission's budget for operating expenses in connection with the program for fiscal year 1969, necessitated the re-

duction in force of approximately 60 per cent of the Commission's staff. Due to this staff reduction it is estimated that the Cuban program is currently off schedule by approximately two and one-half years.

In order to complete the work on these 7,400 claims filed and the 886 claims held open for the Americans in Cuba, the program must be extended for this period. Such extension can only be accomplished by an amendment to the statute.

Section 510 of the Act as originally enacted applied only to the settlement period of claims against Cuba. By reason of an amendment under Public Law 89-780, however, this section was amended to provide for an identical settlement period of 3 years with respect to similar claims against the Chinese Communist regime. These claims were added to Title V of the International Claims Settlement Act of 1949, as amended, under the provisions of Public Law 89-780, approved November 6, 1966.

The filing period for claims against the Chinese Communist regime ends on July 6, 1969 and in accordance with section 510 of the Act, the program is scheduled for completion 3 years after that date on July 6, 1972. No change in this schedule is anticipated at this time. Consequently, the amendment as proposed by the draft bill would not affect the present 3 year settlement period in regard to the China claims program.

The Commission respectfully urges early and favorable action on the proposed bill so that the program can be properly completed within the provisions of the statute.

The Bureau of the Budget advises by letter dated January 13, 1969, that the enactment of this proposal would be consistent with the Administration's objectives.

Sincerely yours,

LEONARD V. B. SUTTON,  
Chairman.

#### S. 1799—INTRODUCTION OF A BILL TO ESTABLISH A NATIONAL COMMISSION PROPOSED TO MEET MOUNTING DANGER OF PESTICIDES

Mr. NELSON. Mr. President, today marks the fifth anniversary of the death of the highly acclaimed environmental author, Rachel Carson. It was just prior to her death when her perceptive book, "Silent Spring," awakened the American public to the dangers of DDT and other persistent pesticides. Her book visibly shook a country that had become complacent about the indiscriminate use of these long-lived poisons.

She pointed out that most pesticides, especially the chlorinated hydrocarbons, cannot distinguish between man's friends and man's enemies. They are almost as lethal to beneficial insects and creatures as they are to destructive ones.

Although many scientists attacked her thesis on the grounds of inadequate proof, it is becoming frightfully evident that she may very well have understated the case.

Convincing evidence is accumulating rapidly from every corner of the world that dangerous environmental contamination is resulting from the use of persistent pesticides at a swift and ever increasing pace.

We are literally heading toward an environmental disaster.

It is no longer a question, Will it happen? It is happening now. The question is: Will we temporize with this issue until it is too late? Until, in fact, the land, the water and the air are irrepara-



bly polluted and all the living creatures are dangerously compromised. That is the issue we face.

I am introducing legislation in the U.S. Senate creating a permanent National Commission on Pesticides to study and investigate problems arising from the use of pesticides and to establish improved programs and regulations for their use.

Under the provisions of this bill, the President would appoint three representatives from Government agencies, three from the scientific and medical professions, two each from conservation and agricultural organizations and two from private enterprise for a term of 3 years to serve on the Commission.

The Commission would be responsible for—

First. Determining and evaluating the present usage of pesticides;

Second. Reviewing existing limitations on pesticide use and current labeling requirements;

Third. Recommending standards of safety for pesticides in water;

Fourth. Developing a continuing monitoring program for pesticides in the soil, air, water, wildlife, fish and humans;

Fifth. Fostering research in the development of less persistent, less toxic pesticides;

Sixth. Initiating basic research into the degradability of pesticides;

Seventh. Conducting research on the effects of pesticides on the environment, fish and wildlife and humans; and

Eighth. Making recommendations on the elimination or limitation of use of certain pesticides to the President and Congress.

The Commission will make annual recommendations to the President and Congress concerning improved restrictions on pesticide use and present potential hazards to wildlife and human health. It will be a permanent body to evaluate pesticides on a continuous basis and advise the President, the Congress, and the country on its findings.

We must bring pesticide use in the United States into better perspective and completely reevaluate existing regulation in light of the growing documentation of their harmful effects.

Many researchers have been concerned about the effects of persistent pesticides, especially DDT, since its initial development and use in the 1940's to control mosquitoes, flies, and other disease carriers. Even at that time, the fact was known that DDT would kill fish as well as flies, according to Dr. Barry Commoner, noted Washington University environmentalist.

The use of persistent, toxic pesticides has since spread extensively to farms and forest land. Today, more than 600 million pounds of pesticides, including insecticides, herbicides, fungicides, rodenticides, and fumigants, are used annually in the United States, about 3 pounds for every man, woman, and child in the United States. Last year, the sales of pesticides increased some 10 percent over the previous year and, by 1985, it is estimated that they will increase another sixfold.

Reports indicate that about 1 acre of every 10 in America is treated with an average of nearly 4 pounds of pesticides every year.

Through this massive, often unregulated use of highly toxic pesticides, every corner of the earth has been contaminated. Living creatures around the world have been reached by the drift of pesticide residues through the air, soil, and water. The reindeer of Alaska, the penguin of the Antarctic, the petrel of Bermuda, the bald eagle and peregrine falcon of America and the blue shell crab of the sea are each being pushed to the brink of extinction by the spread of pesticides through our environment.

While the effects of persistent pesticides on fish and wildlife have been of growing concern to conservationists over the past few years, in comparison, sparse attention has been given to the implications of pesticide use on man.

The Food and Drug Administration has the Federal responsibility for preventing foods contaminated by pesticides and other harmful substances from reaching the general public. It has a lengthy history of detaining foods that have accumulated a dangerous level of pesticide residues. But, in almost every case, the foods have been vegetables and fruits, which receive a direct application of pesticides, or milk, meat, and poultry, which are derived from animals which consumed commodities which are treated with pesticides. For the most part, this pesticide contamination has occurred because of the overuse or misuse of certain pesticides.

However, the recent FDA seizure of 28,150 pounds of Lake Michigan Coho salmon contaminated by pesticide residues places an entirely different light on the whole topic of pesticides and human health.

This disclosure of high concentrations of residues in the Coho salmon proves the tremendously dangerous persistence of these pesticides. To ultimately reach the salmon, the DDT and Dieldrin probably traveled hundreds of miles through the air, water, and soil and was consumed through the normal food chain of up to a half dozen organisms.

According to the FDA, the concentration of DDT in the salmon was found to be up to 19 parts per million while the accumulation of Dieldrin was just short of 0.3 of a part per million, both levels considered hazardous by both the FDA and the World Health Organization.

At last year's Lake Michigan Water Pollution Conference, a spokesman for the U.S. Bureau of Commercial Fisheries testified that the concentration of pesticides in Lake Michigan could reach a level lethal to both man and aquatic life if the use of pesticides was continued at such a heavy rate in the Lake Michigan watershed.

The discovery of these pesticide-contaminated Coho salmon certainly substantiates that testimony. The future of all the Great Lakes will be imperiled unless action is taken soon to stop this poisoning of our waters by these pesticides.

Last spring pesticides were also blamed for the death of nearly 1 million Coho salmon fry. This finding has raised a serious question about the future of salmon reproduction in the waters of Lake Michigan.

There is also growing concern among

scientists that the reproduction capabilities of other fish may be harmed. This is especially the case with the Lake Trout, which spend 6 or 7 years in the water before sexual maturity as compared with only about 2 years for the salmon.

Lake trout were also the subject of recent extensive research by the New York Health Commission, which reported that high concentrations of DDT are being found in Lake trout in the State's central and northern lakes.

The health commission has cited DDT concentrations in the lake trout up to 3,000 parts per million in the fatty tissues of the fish. The figure representing the concentration in the whole fish would be considerably lower since the pesticide tends to concentrate in the fat.

This concentration in both the salmon and the lake trout points to one characteristic that makes DDT and other persistent pesticides so harmful—biological magnification, which results in an increasing concentration of the pesticide progressively along the food chains until it reaches a serious and often lethal level.

A well-researched example of this dangerous phenomenon was documented in Clear Lake, Calif. In order to control a troublesome flying insect that hatches in the lake, the water was treated with the insecticide DDD—similar to DDT, yielding a concentration of .02 parts per million. Plankton, which include microscopic water-borne plants and animals, in the lake accumulated the DDD residues at five parts per million. Fish eating the plankton concentrated the pesticide in their fat to levels from several hundred to up to 2,000 parts per million. Grebes, diving birds similar to loons, fed on the fish and died. The highest concentration of DDD found in the tissues of the grebes was 1,600 parts per million.

After many years of general apathy by the public and governments alike, efforts are finally being mobilized at all levels to deal with the threat of pesticides to the environment, fish and wildlife and man.

Sweden has just banned the use of DDT for a period of at least 2 years. According to the London Observer, this is the first time any nation has instituted such a sanction on a pesticide.

During a recent conference on pesticides in Stockholm, evidence was presented that DDT, even in very small quantities, could affect human metabolism. One of the studies cited was Russian research that indicated that workers whose jobs bring them in contact with DDT and other organochlorine pesticides were found to suffer from changes in the liver which slowed down the elimination of wastes from the body.

Here in the United States, the establishment of firm sanctions on the use of persistent pesticides would be entirely consistent with the recent recommendations of two highly regarded presidential panels.

In my judgment, the most important recommendation of the Wiesner Committee in 1963 was the one urging cutbacks in the use of such persistent pesticides as DDT. The panel recommended:

The accretion of residues in the environment (should) be controlled by orderly re-

duction in the use of persistent pesticides. As a first step, the various agencies of the Federal government might restrict wide-scale use of persistent insecticides, except for necessary control of disease vectors. The Federal agencies should exert their leadership to induce the States to take similar actions. *Elimination* of the use of persistent toxic insecticides should be the goal. (Emphasis added.)

The report of the Environmental Pollution Panel of the President's Science Advisory Committee in 1965 also dealt with this subject. It recommended:

Research should be encouraged toward the development of pesticides with greater specificity, additional modes of action, and more rapid degradability than many of those in current use.

Pesticide effectiveness should be increased and total environmental contamination decreased by further research leading to the more efficient application of pesticides to the target organisms.

The State of Arizona, growing concerned about increasing residues of DDT in milk and other food products, has banned the use of DDT within its borders for a year. A Pennsylvania State Senate committee has concluded a 7-month study of pesticide use with the recommendation that DDT and other persistent pesticides be banned from use in fields and forests. In addition, the committee has proposed the creation of a Pennsylvania Board of Ecological Review to advise the public and Government officials on the interrelationships of natural vegetation and animal life with their environment.

Michigan, Illinois and Wisconsin have already issued recommendations against the use of DDT for the Dutch Elm disease, which is one of the primary targets of DDT use in the United States today.

Wisconsin is also the scene of the first major confrontation between the pesticide industry and concerned citizens and scientists. The Citizens Natural Resources Association of Wisconsin and the Izaak Walton League have filed a petition with the Wisconsin State Department of Natural Resources to ban the use of DDT in the State under any circumstances where the pesticide can enter world circulation patterns and further contaminate the biosphere.

Beginning last December, the citizens groups and the Environmental Defense Fund, a Long Island, N.Y.-based alliance of concerned lawyers and scientists, have presented extensive testimony outlining the growing pollution of the environment by persistent pesticides in the chlorinated hydrocarbon family.

Distinguished scientists, ranging from biochemists and biologists to ecologists and toxicologists, have presented volumes of testimony supporting the citizens' petition.

Dr. Robert W. Risebrough, an environmental scientist at the University of California at Berkeley, stated that the effect of pesticides on man may be very serious. He said that man accumulates 12 parts per million of DDT in his fatty tissues before the body discharges it. He said that this is enough to stimulate enzyme production, which acts as catalysts for bodily processes, such as digestion. Risebrough said that the extinction of some birds has been traced to enzyme induction by DDT, impairing their ability to reproduce.

Dr. Charles F. Wurster, Jr., an organic chemist at the State University of New York, Stonybrook, testified on the range of the pesticide residues through the world. He confirmed that DDT has been found in penguins in Antarctica and is causing the extinction of the rare Bermuda petrel, a sea bird which never has direct contact with areas where DDT is used.

Other witnesses have testified that DDT goes into the atmosphere along with evaporating water, builds up to extremely high levels in predator birds and animals, and has caused new insect problems by killing predators that once held those insects in check.

Dr. Joseph Hickey, a University of Wisconsin wildlife ecologist, said that DDT has been linked to reproduction failures of certain birds, including the eagle, the osprey and the peregrine falcon. Dr. Hickey and other researchers have traced the presence of pesticide residues to a decrease in the weight and thickness of the shells of eggs produced by these birds.

In related testimony, Lucille Stickel, the pesticide research coordinator of the Interior Department's Patuxent Wildlife Research Center, stated that the presence of small quantities of DDT and its derivative DDE in the diets of mallard ducks decreased eggshell thickness, increased egg breakage and decreased overall reproductive success.

This and other testimony has represented the strongest case that has yet been presented in any public forum for new sanctions to be placed on the use of DDT, the most expendable of all the persistent pesticides.

I have advocated a nationwide ban on the use of DDT for several years and have recently reintroduced legislation to prohibit the interstate sale and shipment of this persistent pesticide.

After a recess, the hearings are reconvening on April 22 to give the pesticide industry the opportunity to present evidence in opposition to the DDT ban.

This public momentum toward more sensible pesticide regulation is mounting.

It seems clear that existing Federal agencies charged with pesticide research and regulation have failed to launch the comprehensive, coordinated effort necessary to effectively deal with the growing problem of worldwide pesticide pollution.

These agencies include the Agriculture Research Service of the U.S. Department of Agriculture, the Public Health Service and the Food and Drug Administration of the U.S. Department of Health, Education, and Welfare and the Fish and Wildlife Service of the U.S. Department of the Interior.

Two recent General Accounting Office reports have been very critical of the Agricultural Research Service's handling of its pesticide responsibilities. Last September, GAO stated that ARS did not have an adequate system for tracing misbranded, adulterated, or unregistered pesticides and was also failing to report violations to the Justice Department for prosecution.

In another report in February, GAO indicated that ARS was allowing the pesticide Lindane to be used in com-

mercial and industrial establishments, including food handling businesses, without resolving certain questions of safety that the American Medical Association and the Department of Health, Education, and Welfare have raised.

From information available, the Food and Drug Administration has been effectively monitoring the buildup of pesticides in various foodstuffs. However, many observers were very surprised to learn during the recent Coho salmon incident that the FDA had not apparently considered it necessary to set pesticide tolerance levels for fish.

There also appears to be a lack of meaningful research on the effect of pesticide contamination on man, which has been the basic responsibility of the Public Health Service.

The Fish and Wildlife Service of the Interior Department is just launching its research and has a tremendous amount of ground to cover. From mounting scientific evidence, it is the area of fish and wildlife that is the most immediately vulnerable to pesticide contamination.

While not questioning the ability or commitment of these agencies, there seems to be an absence of coordination and direction in pesticide research and regulation.

A new impetus is needed to provide our country and its citizens with the information and policies we deserve to safeguard our environment from pesticide contamination for generations to come.

Well documented research has indicated that pesticides are a basic cause of serious disruption of the ecological balance, of permanent injury and death to fish and wildlife, and a potential threat to the health and welfare of the general public. A permanent National Commission on Pesticides would provide a significant step toward resolving those difficulties.

I ask unanimous consent that the text of this bill be printed in the *RECORD* at this time, followed by two articles from a recent issue of the *Washington Post* regarding the banning of DDT in Sweden and my bill to prohibit its interstate sale and shipment here in the United States.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and articles will be printed in the *RECORD*.

The bill (S. 1799) to establish a National Commission on Pesticides, and to provide for a program of investigation, basic research and development to improve the effectiveness of pesticides and to eliminate their hazards to the environment, fish and wildlife and man, introduced by Mr. NELSON, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the *RECORD*, as follows:

#### S. 1799

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Pesticide Commission Act of 1969."*

#### FINDINGS AND PURPOSE

SEC. 2. While the value of pesticides in controlling undesirable insects, fungi and



rodents has been well established, the widespread and sometimes indiscriminate use of pesticides, especially those pesticides which do not degrade rapidly after use, has resulted in serious major problems by disrupting the ecological balance, causing permanent injury or death to fish and wildlife, and by posing potential threats to the health and welfare of the people. It is necessary, therefore, in order to protect the health, safety, and welfare of the Nation, to find a solution to such problems. It is the purpose of this Act to establish a National Commission on Pesticides to study and investigate problems arising from the use of pesticides, to monitor the build up of pesticide residues in the environment, fish and wildlife and man, and to foster and stimulate research directed at the determination of the effect of pesticides on the environment, the fish and wildlife and man and the development of pesticides that will break down in the air, soil and water more rapidly after use than those presently in use.

# TITLE I—NATIONAL COMMISSION ON PESTICIDES

## ESTABLISHMENT OF COMMISSION

SEC. 101. There is hereby established a National Commission on Pesticides (hereinafter in this title referred to as the "Commission").

## MEMBERSHIP OF THE COMMISSION

SEC. 102. (a) The Commission shall be composed of twelve members as follows:

(1) Three representatives from Government to be appointed by the President, including representatives of the Department of Health, Education, and Welfare, the Department of the Interior, and the Department of Agriculture.

(2) Three representatives from private life to be appointed by the President from the scientific and medical fields.

(3) Two representatives from private life to be appointed by the President representing conservation organizations.

(4) Two representatives from private life to be appointed by the President representing agricultural organizations.

(5) Two representatives from private life to be appointed by the President from among persons engaged in private enterprise.

(b) Members on the Commission appointed from private life shall be appointed for terms of three years.

(c) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(d) The President shall designate one of the members of the Commission to serve as Chairman and one to serve as Vice Chairman.

(e) Seven members of the Commission shall constitute a quorum.

## FUNCTION OF THE COMMISSION

SEC. 103. (a) It shall be the function of the Commission to make a continuing study and investigation of any and all matters relating to the manufacture and usage of pesticides. Such study and investigation shall include, but shall not be limited to—

(1) a determination and evaluation of the usage of pesticides, including the total amounts used and the specific uses in any year;

(2) whether or not the existing labeling requirements for pesticides should be modified and if so in what manner; and

(3) the desirability of requiring a limitation on the usage of any pesticide based on its toxicity, solubility, and persistence.

(b) It shall also be the function of the Commission to carry out, by its own staff or by contract, or encourage basic research programs directed at, but not be limited to—

(1) the determination of the manner by which pesticides degrade, decompose, or persist in the environment;

(2) the discovery of means and methods

by which pesticides may be caused to degrade more rapidly after their introduction into the environment;

(3) the ascertainment of the toxic or lethal concentrations of pesticides;

(5) the ascertainment of the synergistic and accumulative effects of pesticides on man, on fish and wildlife and on the environment;

(5) the development of natural insect predators; and

(6) the development of rapidly degradable pesticides.

(c) It shall also be the function of the Commission to formulate and recommend a continuing monitoring program of the human population, fish and wildlife and the environment for the build up of pesticide residues.

## COMPENSATION OF MEMBERS

SEC. 104. (a) The members of the Commission who are appointed from private life shall each receive compensation at the rate of \$75 per day for each day they are engaged in the performance of their duties as members of the Commission. All other members of the Commission shall serve without compensation.

(b) All members of the Commission shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission.

## STAFF

SEC. 105. The Commission is authorized, without regard to the provisions of title 5 of the United States Code governing appointments in the competitive service and without regard to the provisions of chapter 51 of such title, relating to classification.

(1) to appoint such personnel as it deems necessary to assist it in performing its duties, and to fix the compensation of such personnel at rates not in excess of those provided in the General Schedule under section 5332 of such title for employees performing comparable functions; and

(2) to procure temporary and intermittent services to the same extent as is authorized by section 3109 of such title, but at rates not to exceed \$75 a day for individuals.

## POWERS OF COMMISSION

SEC. 106. (a) The Commission or any committee thereof may, for the purpose of carrying out the provisions of this title, hold such hearings and sit and act at such times and places, and take such testimony, as the Commission or such committee may deem advisable. Any member of the Commission may administer oaths or affirmations to witnesses appearing before the Commission or any committee thereof.

(b) The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates, and statistics for the purpose of this title; and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

## REPORTS

SEC. 107. The Commission shall submit a written report of the result of its study and investigation to the President and to the Congress not later than March 1 of each calendar year together with such recommendations for legislation or other action as the Commission may deem advisable.

## APPROPRIATIONS AUTHORIZED

SEC. 108. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this title.

The material, presented by Mr. NELSON, follows:

## SWEDEN BANS DDT FOLLOWING REPORTS OF HARM TO PEOPLE

(By Roland Huntford, London Observer)

STOCKHOLM.—Sweden is banning the use of DDT—the first country to do so. The ban is to last for two years and the first aim is to discover if a local prohibition will reduce the amount of DDT finding its way into plants and animals.

The decision came after an international conference on Stockholm to discuss the dangers of using the chemical.

It is recognized that since the chemical is so easily spread, a purely local ban is bound to have a limited effect. Consequently, there is a move afoot to extend the measure to the rest of Scandinavia, and demands have already been heard in Norway for a total ban on DDT all over the country.

The Swedish ban is comprehensive, covering DDT and all its derivations in every field. Agriculture and domestic uses are specifically mentioned on the regulations, and DDT will therefore disappear from all sprays and insecticides.

Although the Swedes promulgated their ban in connection with an international conference to make an impact abroad, their information had been carefully gathered for some years. Fish, birds, and many plants were found to contain rising amounts of DDT, and its presence in human beings was distinctly on the increase. The most disturbing aspect of this was the fact that no scientist was able to say for certain that DDT was harmless in the case of the higher forms of life.

On the other hand, evidence was presented at the Stockholm conference that DDT, in remarkably small quantities, could affect the human metabolism. Soviet investigations showed that certain people habitually working with DDT were found to suffer from changes in the liver which slowed down the elimination of waste products from the body.

Perhaps what clinched the matter, as far as the Swedes were concerned, was a recent report published by some Stockholm scientists. They had been investigating the presence of DDT in wild life along the Swedish coast, and made the discovery that it was present in rapidly increasing quantities as one moved up the scale of predatory creatures. Thus, gulls had more DDT than the fish upon which they fed, while certain types of sea eagles, which preyed upon both, exhibited the highest concentration of all. They were found to have 25 percent by weight of DDT in their fat tissues.

It is usually alleged that DDT affects only lower forms of life, particularly the insects it was originally designed to kill. But it has also been shown to have poisonous effects on shellfish, and to cause thickening of the shells of birds' eggs. If these become too thick the chicks are unable to hatch, and the species would therefore be threatened with extinction.

It is a curious comment on the present situation that certain dinosaurs disappeared for exactly the same reason caused, some experts presume, by a natural catastrophe, either of a chemical or radioactive kind.

There are also suspicions held by a few scientists that DDT might be capable of causing mental disease. There is a chemical closely related to DDT, which is known to produce schizophrenic symptoms.

At the Stockholm conference an English scientist, Dr. Norman Moore, who specializes on the effect of DDT on wild life, said that nobody at present could predict the effect of DDT in years to come. Faced with such ignorance, he said, the only sensible thing to do was to ban the use of insecticides, such as DDT, which were difficult to break down, and which remained after use to pollute the human environment.

At present, there is not a corner of the globe free of DDT. Eskimos in Greenland and

seals in the Antarctic have it, and both are far from the nearest source. Perhaps the Swedish ban will at least eliminate an annual contribution of 700 tons but this is a small amount compared with the 11,000 tons used annually by the United States.

The strongest opposition is expected to come from countries involved in malaria control. DDT and its allied compounds are the chief chemicals used to eliminate mosquitoes. And in this field there are no frontiers: even if all Europe and North America were to ban DDT they would still receive an aid and seaborne supply from Africa, Asia and South America. But the threat of gathering bans might persuade scientists to develop a chemical without the toxic side effects and penetration of DDT.

#### SENATOR NELSON INTRODUCES BILL AGAINST COMPOUND

Last Tuesday, Sen. Gaylord Nelson (D-Wis.) introduced a bill which would prohibit the interstate sale or shipment of DDT in the United States.

He said the accumulation of DDT is reaching "catastrophic proportions," threatening the extinction of some forms of fish and wildlife.

"In a single generation," he told the Senate, "DDT has polluted our environment on a worldwide basis, infiltrating the atmosphere, the water and the tissues of most of the world's creatures, pushing some, like the peregrine falcon and the bald eagle to the brink of extinction."

Citing the seizure of 21,000 pounds of contaminated Lake Michigan Coho salmon by the Food and Drug Administration, the Senator warned "the future of all the Great Lakes will be imperiled unless action is taken soon to stop this poisoning of our waters by these pesticides."

He said he had urged the FDA to intensify its inspections for pesticide residues in all marine life taken from the Great Lakes.

#### S. 1800—INTRODUCTION OF A BILL INCREASING THE PERSONAL INCOME TAX EXEMPTION FROM \$600 TO \$1,000

Mr. YOUNG of Ohio. Mr. President, our Federal income tax laws are an abominable mess, so riddled with tax loopholes favoring a few at the expense of the many that it is no wonder that average American taxpayers are loudly and clearly demanding genuine tax reform.

The truth is that those earning between \$5,000 and \$15,000 a year—the great majority of citizens—pay a higher percentage in income tax than do those whose earnings exceed \$25,000. Middle and lower income Americans bear the heaviest burden of taxation. Of all Federal income taxes paid by individuals, 72 percent comes from those earning less than \$15,000, 22 percent with incomes of less than \$7,000, and 50 percent from those earning between \$7,000 and \$15,000. In 1967, 150 Americans with incomes of more than \$200,000, including 21 with incomes exceeding \$1,000,000, paid no income tax whatever. During the same year, 25 million citizens living below the \$3,000 a year poverty level paid more than \$1.5 billion in Federal income taxes.

I have received hundreds of letters from honest hard-working citizens who report of their individual problems in coping with the rising cost of living and with increased local, State, and Federal

taxes. It is high time that average-income Americans receive a tax break.

A first step which would help more than 100 million average-income taxpayers should be to increase the \$600 individual income tax exemption to \$1,000. When the \$600 personal exemption was adopted in 1948, each exemption represented 20 percent of the median family income of \$3,031. The most recent census statistics place the median family income at \$8,017. This means each \$600 exemption now amounts to only 7.5 percent of the average family income.

Today the \$600 exemption is on its way to becoming merely a token deduction. Since 1948 when the \$600 was approved, basic expenses such as food, shelter, and clothing have increased by more than 50 percent. Medical expenses alone have climbed nearly 90 percent.

Therefore, Mr. President, I introduce, for appropriate reference, a bill to increase the personal income tax exemption from \$600 to \$1,000.

The revenue lost can easily be recovered by plugging atrocious tax loopholes that now exist. It is estimated that as much as \$50 billion is lost to the Treasury through income tax gimmicks of one sort or another favoring various and sundry special interest groups in our society.

The most flagrant tax loophole is the 27½ percent depletion allowance for oil and gas-producing companies which costs taxpayers from \$3 to \$5 billion annually. The fact is that oil companies have been paying Federal income taxes at about half the average rate of most American wage earners. While most corporations outside the petroleum industry pay 40 to 50 percent of their profits in Federal income tax, the 40 largest oil companies paid Federal income taxes at an average rate of 8.2 percent of their net income in 1967. Fourteen of them paid no Federal income tax at all. Eight others were taxed an average of less than 5 percent, and 13 were taxed from between 5 to 14 percent. The largest of the 14 non-tax-paying oil companies was the Atlantic Richfield Co. which in 1967 paid no tax whatever on a net income of \$145 million. This company and its predecessor, the Atlantic Refining Co., accumulated profits of nearly ½ billion from 1962 to 1967 without owing a penny in Federal income tax. At the same time a retired Ohio couple both partially handicapped, with an income of \$3,976 paid a Federal income tax of \$137.

The largest company in the petroleum industry, the Standard Oil Co. of New Jersey, reported net income before taxes of \$2 billion in 1967 and paid Federal income taxes of \$166 million for a rate of 7.9 percent. From 1962 through 1967 this firm had a total net income before taxes of \$10.1 billion and paid an average of 4.7 percent in Federal income taxes for the entire period. There are many other tax loopholes which may not be as costly to the Treasury but are equally unfair. The failure to tax capital gains passed on from one generation to another deprives the Treasury of \$2.5 billion every year. Allowing a tax-free bonus on the

first \$100 of dividends loses another \$200 million. Deductions permitted gentleman farmers and loopholes favoring farm corporations deprive the Treasury of additional hundreds of millions of dollars annually. One wealthy widow, her inheritance invested in municipal and State bonds, received \$1.5 million in interest annually. Since the bonds are tax exempt she does not even have to file a tax return. Her gardener earns \$5,000 a year and pays \$350 in Federal income taxes. Can anyone blame heavily burdened taxpayers for demanding an end to such blatant and outrageous tax favoritism?

These are but a few of the unconscionable tax loopholes that exist for the benefit of the rich and powerful while the real tax burden falls on lower and middle income taxpayers. It is high time to plug them and provide relief for average taxpayers. What we in Congress should be talking about is imposing fair taxes, not more taxes, not surtaxes on top of present taxes. Genuine reform of our income tax laws is long past due.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1800) to amend the Internal Revenue Code of 1954 to increase the amount of the deduction for each personal exemption to \$1,000, introduced by Mr. Young of Ohio, was received, read twice by its title, and referred to the Committee on Finance.

#### S. 1801—INTRODUCTION OF A BILL TO ESTABLISH THE FEDERAL MEDICAL EVALUATIONS BOARD

Mr. HATFIELD. Mr. President, I am pleased to offer for introduction today, for myself and the junior Senator from Oregon (Mr. PACKWOOD), a bill to establish the Federal Medical Evaluations Board to carry out the functions, powers, and duties of the Secretary of Health, Education, and Welfare relating to the regulation of drugs, biological products, and medical devices.

For some time I have been concerned that the functions of judge and prosecutor relating to new drugs have been consolidated in the Food and Drug Administration. This concern has developed out of my experience as a member of the Monopoly Subcommittee of the Senate Small Business Committee, in its hearings over the past several years into matters relating to the drug industry, and out of my knowledge of the regulation by the FDA of the use of DMSO—dimethyl sulfoxide—a simple organic chemical developed from lignin, the cement substance of trees, and having the ability to penetrate human tissues.

DMSO's medical applications sprang from collaboration in the early 1960's between Robert Herschler, of the Crown Zellerbach Corp., in Oregon, and Dr. Stanley Jacob, who was working out of the University of Oregon Medical School.

Dr. Jacobs has said:

Like antibiotics and cortisone, DMSO cuts across disease lines. The principle of DMSO is that it provides a relatively easy method of using the skin for an avenue for curing ills affecting the body generally. DMSO is rapidly absorbed and will influence a disease process elsewhere in the body.



Only limited formal testing in the United States has been permitted by the FDA, despite its high potentiality for the relief of human ills. In contrast, DMSO has been a prescription drug since June 1967—without any evidence of serious toxicity—in Germany and Austria.

As the areas of concern of the FDA have grown, it has become less efficient and more subject to political pressures. As in the case of DMSO, many months—even years—of delay has been caused by the FDA in allowing new drugs, having promise of safety and efficacy, to be fully tested or marketed.

A highly competent, professional handling of new drugs is essential for protection of the public health. In my view, only by legislation such as this introduced today can the needed changes in the administration of new drug applications be provided. This bill will give the function of judging new drugs to qualified, medical, and scientific experts, but leave the prosecution or enforcement function to the FDA.

The purposes of the bill are to—

Provide for a maximum of professional competence and swift, thorough review in the evaluation of medical products—that is, biological products, medical devices, and drugs—so that the highest standards of protection for the public are maintained, yet so medical products which have shown proven efficacy and safety shall be made available to the public without undue delay;

Centralize and upgrade the evaluation of all medical products, and to cut down the expense of overlapping jurisdictions and duplicative efforts in this field;

Assure all medical products of a fair, swift, and highly professional evaluation in terms relevant to protection of the public;

Provide for an independent appeals mechanism in cases where there may be an honest dispute over the safety or efficacy of a medical product or a decision of the Board;

Separate evaluation, primarily a professional scientific and clinical judgment, from enforcement powers in the regulation of medical products;

Establish standards for the evaluation of medical devices in terms of safety and efficacy—not now provided for in the law—for the increased protection of the public.

This bill provides for—

The establishment of a 15-member Federal Medical Evaluations Board, to be composed of highly qualified eminent scientists, physicians, and clinical researchers to be appointed by the President;

The jurisdiction of the Board to encompass evaluation of all medical products, including drugs, antibiotics and medical devices, and regulatory authority over the same;

The appointment by the Board of an Executive Director and a highly competent medical staff to aid the Board in its evaluations;

The use by the Board of advisory panels to be called in cases where the Board may deem more professional expertise is necessary to making evaluative judgment;

The mandatory establishment by the Board of ad hoc independent advisory appeals panels in cases where there may be a disagreement over the decision or judgment of the Board;

The review and evaluation of medical devices, both diagnostic and therapeutic, on the basis of safety and efficacy.

Mr. President, I ask unanimous consent that the bill which I am introducing be set forth in full at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1801) to establish the Federal Medical Evaluations Board to carry out the functions, powers, and duties of the Secretary of Health, Education, and Welfare relating to the regulation of biological products, medical devices, and drugs, and for other purposes, introduced by Mr. HATFIELD (for himself and Mr. PACKWOOD), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 1801

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### TITLE I—FEDERAL MEDICAL EVALUATIONS BOARD

##### ESTABLISHMENT

SEC. 101. There is established in the executive branch of the Federal Government the Federal Medical Evaluations Board (referred to in this title as the "Board").

##### MEMBERSHIP

SEC. 102. (a) The Board shall be composed of fifteen members appointed by the President by and with the advice and consent of the Senate. Members of the Board shall be selected from persons in private life who because of their experience, position, or training in the fields of general medical practice, clinical research, or the relevant basic sciences are eminently qualified to carry out the functions of the Board. Members of the Board shall be appointed in such a manner as to provide a balanced representation of such fields on the Board. A vacancy in the Board shall be filled in the same manner as the original appointment was made.

(b) (1) Except as provided in paragraphs (2) and (3), members of the Board shall be appointed for terms of three years.

(2) Of the members first appointed—

(A) five shall be appointed for terms of one year,

(B) five shall be appointed for terms of two years, and

(C) five shall be appointed for terms of three years, as designated by the President at the time of appointment.

(3) Any member of the Board appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term. A member may serve after the expiration of his term until his successor has taken office.

(c) The Board shall have a Chairman and a Vice Chairman who shall be elected by the members of the Board from among their number for a term of one year. Except for the first two chairmen of the Board, the Chairman of the Board shall be selected from members of the Board who will have served for at least two years as a member of the Board before assuming the office of Chairman. Except for the first two vice chairmen of the Board, the Vice Chairman of the Board shall be selected from members of the

Board who will have served at least one year as a member of the Board before assuming the office of Vice Chairman. The Chairman and Vice Chairman of the Board shall, during the period of their service in such positions, be full-time officers of the United States.

(d) The basic pay of the Chairman and Vice Chairman of the Board shall be at the rate prescribed for level III of the Executive Schedule by section 5314 of title 5 of the United States Code. Each other member of the Board shall be paid at the rate of \$200 for each day such member is engaged upon the work of the Board, and shall be allowed travel expenses, including a per diem allowance, in accordance with section 5703(b) of title 5 of the United States Code.

(e) The Board shall meet monthly and at such other times as the Chairman or Vice Chairman shall direct. Seven members of the Board shall constitute a quorum for the carrying out of the functions, powers, and duties of the Board.

##### EXECUTIVE DIRECTOR AND STAFF OF THE BOARD

SEC. 103. (a) (1) The Board shall appoint an Executive Director and fix his basic pay at the rate prescribed for level V of the Executive Schedule by section 5316 of title 5 of the United States Code. The Executive Director shall serve at the pleasure of the Board.

(2) The Board may delegate to the Executive Director such of its functions, powers, and duties (other than those relating to the making, amending, or repealing or regulations) as it deems appropriate.

(b) With the approval of the Board, the Executive Director may appoint and fix the basic pay of such additional personnel as may be necessary to carry out the functions, powers, and duties of the Board.

##### TRANSFERS TO BOARD

SEC. 104. (a) There are transferred to and vested in the Board the functions, powers, and duties of the Secretary of Health, Education, and Welfare—

(1) to make, amend, and repeal regulations under (A) section 351(d) of the Public Health Service Act, (B) sections 506, 507, 510, and 511 of the Federal Food, Drug, and Cosmetic Act, (C) section 701 of such Act (but only to the extent necessary to carry out the functions, power, and duties transferred to and vested in the Board by this section and the functions, powers, and duties of the Board under section 513 of such Act), and (D) subsections (1) and (n) of section 512 of such Act; and

(2) under sections 501, 502, 503, 505, 508, and 707 of the Federal Food, Drug, and Cosmetic Act and under those subsections of section 512 of such Act not referred to in paragraph (1).

(b) So much of the positions, personnel, assets, liabilities, contracts, property, records, and unexpended balances of authorizations, allocations, and other funds, which the Director of the Bureau of the Budget determines (1) were employed, held, used, or available or to be made available in connection with the functions, powers, and duties transferred by this section, or (2) arose from such functions, powers, and duties, shall be transferred to the Board.

##### ADVISORY EVALUATION PANELS

SEC. 105. (a) The board may, from time to time, establish advisory evaluation panels to advise it with regard to the exercise of any of its functions, powers, and duties (other than those with respect to which an advisory appeals panel is established under section 106). Members of a panel shall be drawn from persons specially qualified in the subject matter to be referred to the panel and shall be of adequately diversified professional background.

(b) The size of any panel shall be determined by the Board, except that there shall be no fewer than three members and no

more than ten members. Members of a panel shall receive as compensation for their services a reasonable per diem, which the Board shall by regulation prescribe, for time actually spent in the work of the panel, and shall in addition be reimbursed for their necessary traveling and subsistence expenses while so serving away from their places of residence. The members shall not be subject to any other provisions of law regarding the appointment and compensation of employees of the United States. The Board shall furnish each panel with adequate clerical and other assistance, and shall by regulation prescribe the procedure to be followed by each panel.

#### ADVISORY APPEALS PANELS

SEC. 106. (a) The Board shall, upon request of any applicant under section 505, 512, or 514 of the Federal Food, Drug, and Cosmetic Act, establish an advisory appeals panel to review and advise the Board with respect to any order of the Board refusing, withdrawing, or suspending approval of the application of such applicant filed under such section 505, 512, or 514. An advisory appeals panel established by the Board shall in accordance with regulations prescribed by the Board review the applicable order and application and any other materials and information the panel considers relevant to its inquiry and shall report to the Board its recommendations.

(b) The Board shall make regulations prescribing the time and manner in which a request for the establishment of a panel shall be made. The Board shall also prescribe regulations requiring that an applicant for an advisory appeals panel shall pay (either in advance or by way of reimbursement) one-half of the costs to the Board for the establishment and operation of an advisory appeals panel.

(c) Members of an advisory appeals panel shall be drawn from persons specially qualified in the subject matter to be referred to the panel and shall be of adequately diversified professional background. No person who served as a member of the advisory evaluations panel which considered the application to be reviewed by an advisory appeals panel may serve on such advisory appeals panel.

(d) The size of any panel shall be determined by the Board, except that there shall be no fewer than three members and no more than ten members. Members of a panel shall receive as compensation for their services a reasonable per diem, which the Board shall by regulation prescribe, for time actually spent in the work of the panel, and shall in addition be reimbursed for their necessary traveling and subsistence expenses while so serving away from their places of residence. The members shall not be subject to any other provisions of law regarding the appointment and compensation of employees of the United States. The Board shall furnish each panel with adequate clerical and other assistance.

#### SAVINGS PROVISIONS

SEC. 107. (a) All orders, determinations, rules, regulations, permits, contracts, certificates, licenses, and privileges—

(1) which have been issued, made, granted, or allowed to become effective (A) by the Secretary of Health, Education, and Welfare in the exercise of duties, powers, or functions which are transferred under this title, or (B) by any court of competent jurisdiction upon review of such action by the Secretary, and

(2) which are in effect on the date of the enactment of this title, shall continue in effect according to their terms until modified, terminated, superseded, set aside, or repealed by the Board (but only in the exercise of any function, power, or duty transferred to and vested in it by section 104 of this title), by any court of competent jurisdiction, or by operation of law.

(b) The provisions of this title shall not affect any proceedings which are pending on the date of the enactment of this title before the Secretary of Health, Education, and Welfare and which relate to functions, powers, or duties transferred by this title; but such proceedings shall be continued before the Board.

(c) (1) Except as provided in paragraph (2)—

(A) the provisions of this title shall not affect suits commenced prior to the date of the enactment of this title, and

(B) in all such suits proceedings shall be had, appeals taken, and judgments rendered, in the same manner and effect as if this title had not been enacted.

No suit, action, or other proceeding commenced by or against any officer in his official capacity as an officer of the Department of Health, Education, and Welfare shall abate by reason of the enactment of this title. No cause of action by or against the Secretary of Health, Education, and Welfare or by or against any officer of the Department of Health, Education, and Welfare in his official capacity shall abate by reason of the enactment of this title. Causes of actions, suits; or other proceedings may be asserted by or against the United States or such official of the Board, as may be appropriate, and, in any litigation pending on the date of the enactment of this title, the court may at any time, on its own motion or that of any party, enter an order which will give effect to the provisions of this subsection.

(2) If before the date of the enactment of this title, the Secretary of Health, Education, and Welfare or any officer of the Department of Health, Education, and Welfare in his official capacity, is a party to a suit which relates to a function, power, or duty transferred by this title, then such suit shall be continued by the Board, but only in the exercise of any function, power, or duty transferred to and vested in it by section 104 of this title).

(d) With respect to any function, power, or duty transferred by section 104 of this title and exercised after the date of the enactment of this title, reference in any other Federal law to the Secretary of Health, Education, and Welfare in connection with a function, power, or duty transferred by this title shall be deemed to mean the Board.

#### EFFECTIVE DATE

SEC. 108. This Act shall take effect on the date of its enactment except that the provisions of sections 104 through 107 shall take effect ninety days after the members of the Board first appointed take office or on such prior date after the date of the enactment of this Act as the President shall prescribe and publish in the Federal Register.

#### TITLE II—STANDARDS FOR MEDICAL DEVICES

##### PART A—AUTHORITY TO ESTABLISH STANDARDS

SEC. 201. Chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C., ch. 9, subch. V) is amended by adding at the end thereof the following new section:

##### "STANDARDS FOR MEDICAL DEVICES

##### "Authority To Set Standards

"SEC. 513. (a) Whenever in the judgment of the Board such action will protect the public health and safety, it may by regulation establish for any device (including any type or class of device), a reasonable standard relating to the composition, the properties, or the performance of the device or devices involved (or relating to two or more of such factors).

"Weight Given Other Standards—Consultation With Interested Groups

"(b) In the development of consideration of proposals for the issuance of standards under this section, and in particular prior to the commencement of formal proceedings

on its own initiative pursuant to subsection (c), the Board shall to the optimum extent consult with, and give appropriate weight to relevant standards published by, other Federal agencies concerned with standard setting or other nationally or internationally recognized standard-setting agencies or organizations, and invite appropriate participation, through joint or other conferences, workshops, or other means, by informed persons representative of scientific, professional, industry, and consumer organizations that in its judgment can make a significant contribution to such development.

##### "Procedure for Issuance, Amendment, or Repeal of Standards

"(c) The provisions of section 701 (e), (f), and (g) of this Act shall, subject to the provisions of subsection (d) of this section, apply to and in all respects govern proceedings for the issuance, amendment, or repeal of regulations under subsection (a) of this section (including judicial review of the Board's action in such proceedings). The Board may suspend the running of any applicable time limit under section 701(e) pending receipt of the report of an advisory committee under subsection (d) of this section and consideration of the committee's report by the Board.

##### "Referral to Independent Advisory Committee

"(d) (1) In any proceeding for the issuance, amendment, or repeal of a regulation establishing a standard under this section, whether commenced by a proposal of the Board on its own initiative or by a proposal contained in a petition, the petitioner, or any other person who will be adversely affected by such proposal or by the Board's order issued in accordance with paragraph (1) of section 701(e) if placed in effect, may request, within the time specified in this subsection, that the petition or order thereon, or the Board's proposal, be referred to an advisory committee of experts for a report and recommendations with respect to any matter involved in such proposal or order that requires the exercise of scientific judgment. Upon such request, or if the Board on its own initiative deems such a referral necessary, the Board shall appoint such an advisory committee and shall refer to it, together with all the data before the Board, the matter so involved for study thereof, and for a report and recommendations thereon, in accordance with the applicable provisions of paragraph (5) (C) (ii) of subsection (b), and subject to paragraph (2) of subsection (d), of section 706. A person who has filed a petition or who has requested the referral of a matter to an advisory committee pursuant to this subsection, as well as representatives of the Board, shall have the right to consult with such advisory committee in connection with the matter referred to it. The request for referral under this subsection, or the Board's referral on its own initiative, may be made at any time before, or within thirty days after, publication of an order of the Board acting upon the petition or proposal.

"(2) The appointment, compensation, staffing, and procedure of such committees shall be in accordance with subsection (b) (5) (D) of section 706.

"(3) Where such a matter is referred to an expert advisory committee upon request of an interested person, the Board may, pursuant to regulations, require such person to pay fees to pay the costs, to the Board, arising by reason of such referral. Such fees, including advance deposits to cover such fees, shall be available, until expended, for paying (directly or by way of reimbursement of the applicable appropriations) the expenses of advisory committees under this subsection and other expenses arising by reason of referrals to such committees and for refunds in accordance with such regulations."



## CONFORMING AMENDMENTS

SEC. 202. Section 501 of such Act (21 U.S.C. 351) is amended by adding at the end thereof the following new paragraph:

"(e) If it is, or purports to be or is represented as, a device of a type or class with respect to which, or with respect to any components, part, or accessory of which, a standard established under section 513 is in effect, unless such device, or such component, part, or accessory, is in all respects in conformity with such standards."

## PART B—PREMARKET CLEARANCE OF CERTAIN MEDICAL DEVICES

## PREMARKET CLEARANCE OF CERTAIN MEDICAL DEVICES

SEC. 210 (a) Section 501 of such Act, as amended by section 202 of this title, is further amended by adding at the end thereof the following new paragraph:

"(f) If (1) it is a device, and (2) such device, or any component, part, or accessory thereof, is deemed unsafe, unreliable, or ineffective within the meaning of section 514 with respect to its use or intended use."

(b) Chapter V of such Act, as amended by section 201 of this title, is further amended by adding at the end thereof a new section as follows:

## "PREMARKET CLEARANCE FOR CERTAIN MEDICAL DEVICES

## "When Premarket Clearance Is Required

"SEC. 514. (a) A device shall, with respect to any particular use or intended use thereof, be deemed unsafe, unreliable, or ineffective for the purpose of the application of section 501(f) if—

"(1) its composition, construction, or properties are such that such device is not generally recognized, among experts qualified by scientific training and experience to evaluate the safety, reliability, and effectiveness of such device to be safe, reliable, and effective for use under the conditions prescribed, recommended, or suggested in the labeling thereof; and

"(2) such device (A) is intended to be secured or otherwise placed, in whole or in part, within the human body or into a body cavity, or directly in contact with mucous membrane, and is intended to be left in the body or such cavity, or in such direct contact, permanently, indefinitely, or for a substantial period or periods (as determined in accordance with regulations issued after notice and opportunity to present views), or (B) is intended to be used for subjecting the human body to ionizing radiation, electromagnetic, electric, or magnetic energy (including, but not limited to, diathermy, laser, defibrillator, and electroshock instrumentation), or heat, cold, or physical or ultrasonic energy, or is intended for physical or radio or electronic or electric communication in either direction with any part of the human body or with a device placed within or connected with the human body, or (C) is a device which the Board, by special order made on the basis of a finding (for reasons stated in the order) that there is probable cause to believe that the device is not effective for use or not reliable, under the conditions prescribed, recommended, or suggested in its labeling, has declared to be subject to the requirements of this subsection with respect to such use or intended use,

unless either—

"(3) an application with respect to such device has been filed pursuant to subsection (b) and there is in effect an approval of such application by the Board under this section.

"(4) such device is exempted by or pursuant to subsection (j), (k), or (l) of this section, or

"(5) such device is intended solely (A) for use in the cure, mitigation, treatment, or prevention of disease in animals other than man or (B) to affect the structure or any function of the body of such animals.

The Board shall by regulation issued or amended from time to time under the authority of this sentence, insofar as practicable promulgate and keep current a list or lists of devices, and of the particular uses (or conditions of use) thereof, which it finds are generally recognized, among experts qualified by scientific training and experience to evaluate the safety, reliability, and effectiveness of such devices, to be safe, reliable, and effective for use (under the conditions, if any, referred to in such list or lists), and the inclusion, while in effect, of a device in such a list shall, in any proceeding under this Act, be conclusive evidence against the United States of the facts stated in that list with respect to such device.

## "Application for Clearance

"(b) Any person may file with the Board an application for determination by the Board of the safety, reliability, and effectiveness of any device to which paragraphs (1) and (2) of subsection (a) apply. Such persons shall submit to the Board as a part of the application (1) full reports of all information, published, or otherwise available to the applicant, concerning investigations which have been made to show whether or not such device is safe, reliable, and effective for use; (2) a full statement of the composition, properties, and construction, and of the principle or principles of operation, of such device; (3) a full description of the methods used in, and the facilities and controls used for, the manufacture, processing, and, when relevant, packing and installation of such device; (4) an identifying reference to any standard, applicable to such device, which is in effect pursuant to section 513, and adequate information to show that such device fully meets such standard; (5) such samples of such device and of the articles used as components thereof as the Board may require; (6) specimens of the labeling proposed to be used for such device; and (7) such other information, relevant to the subject matter of the application, as the Board may require.

## "Time for Initial Consideration of Application

"(c) Within one hundred and eighty days after the filing of an application under subsection (b), or such additional period as may be agreed upon by the Board and the applicant, the Board shall either—

"(1) approve the application if it then finds that none of the grounds for denying approval specified in subsection (d) applies, or

"(2) give the applicant notice of an opportunity for a hearing before the Board to be held under subsection (d) on the question whether such application is approvable.

The Board may suspend the running of the applicable time limit under this subsection pending receipt of the report of an advisory committee under subsection (h) and the period allowed to the Board for consideration of the report thereafter.

## "Bases for Approval or Disapproval; Opportunity for Hearing

"(d) (1) If, upon the basis of the information submitted to the Board as part of the application and any other information before it with respect to such device, the Board finds, after due notice to the applicant and opportunity for a hearing to the applicant, that—

"(A) such device is not shown to be safe and reliable for use under the conditions prescribed, recommended, or suggested in the proposed labeling thereof;

"(B) the methods used in, and the facilities and controls used for, the manufacture, processing, and packing and installation of such device do not conform to the requirements of section 501(g);

"(C) there is a lack of substantial evidence that the device will have the effect it pur-

ports or is represented to have under the conditions of use prescribed, recommended, or suggested in the proposed labeling thereof; or

"(D) based on a fair evaluation on all material facts, such labeling is false or misleading in any particular;

it shall issue an order denying approval of the application. If, after such notice and opportunity for hearing, the Board finds that clauses (A) through (D) of this subsection do not apply, it shall issue an order approving the application.

"(2) As used in this subsection and subsection (e), the term 'substantial evidence' means evidence consisting of adequate and well-controlled investigations, including clinical investigations, by experts qualified by scientific training and experience to evaluate the effectiveness of the device involved, on the basis of which it could fairly and responsibly be concluded by such experts that the device will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling or proposed labeling thereof.

"(3) For the purposes of this section, when a device is intended for use by a physician, surgeon, or other person licensed or otherwise specially qualified therefor, its safety, reliability, and effectiveness shall be determined in the light of such intended use.

## "Withdrawal of Approval

"(e) (1) The Board may, after due notice and opportunity for hearing to the applicant, issue an order withdrawing approval of an application with respect to a device under this section if the Board finds—

"(A) (i) that clinical or other experience, tests, or other scientific data show that such device is unsafe or unreliable for use under the conditions of use upon the basis of which the application was approved; or (ii) on the basis of evidence of clinical experience, not contained in such application or not available to the Board until after the application was approved, or of tests by new methods or by methods not reasonably applicable when the application was approved, evaluated together with the evidence available to the Board when the application was approved, that such device is not then shown to be safe or reliable for use under the conditions of use on the basis of which the application was approved;

"(B) on the basis of new information before it with respect to such device, evaluated together with the evidence available to it when the application was approved, that there is a lack of substantial evidence that the device will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling thereof;

"(C) that the application filed pursuant to subsection (b) contains an untrue statement of a material fact;

"(D) that the applicant has failed to establish a system for maintaining required records, or has repeatedly or deliberately failed to maintain such records, or to make required reports, in accordance with an applicable regulation or order under subsection (a) of section 515, or that the applicant has refused to permit access to, or copying or verification of, such records as required by paragraph (2) of such subsection;

"(E) on the basis of new information before it, evaluated together with the evidence before it when the application was approved, that the methods used in, and the facilities and controls used for, the manufacture, processing, and packing and installation of such device do not conform to the requirements of section 501(g) and were not brought into conformity with such requirements within a reasonable time after receipt of written notice from the Board specifying the matter complained of; or

"(F) that on the basis of new information before it, evaluated together with the evi-

dence before it when the application was approved, the labeling of such device, based on a fair evaluation of all material facts, is false or misleading in any particular and was not corrected within a reasonable time after receipt of written notice from the Board specifying the matter complained of.

"(2) If the Board finds that an imminent health or safety hazard is involved, it may suspend the approval of such application immediately, and give the applicant prompt notice of its action and afford the applicant the opportunity for an expedited hearing under this subsection; but the authority conferred by this paragraph to suspend the approval of an application shall not be delegated.

"(3) Any order under this subsection shall state the findings upon which it is based.

#### "Authority To Revoke Adverse Orders

"(f) Whenever the Secretary finds that the facts so require, he shall revoke any previous order under subsection (d) or (e) denying, withdrawing, or suspending approval of an application and shall approve such application or reinstate such approval, as may be appropriate.

#### "Service of Secretary's Orders

"(g) Orders of the Secretary under this section shall be served (1) in person by any officer or employee of the Department designated by the Secretary or (2) by mailing the order by registered mail or certified mail addressed to the applicant at his last-known address in the records of the Secretary.

#### "Referral to Independent Advisory Committee

"(h) (1) In the application filed by the applicant under subsection (b), or at any time prior to the expiration of the time for action by the Secretary under clause (1) or (2) of subsection (c), or within such reasonable period after notice of opportunity for a hearing to be held under subsection (d) or (e) as may be specified by the Secretary in such notice, the applicant may request that such application or the Secretary's action thereon, or the matter or matters with respect to which notice of opportunity for hearing is given, be referred to an advisory committee of experts for a report and recommendations with respect to any question therein involved that requires the exercise of scientific judgment. Upon such request, or if the Secretary on his own initiative deems such a referral necessary, the Secretary shall appoint an advisory committee and shall refer to it, together with all the data before him, the question so involved for study thereof, and for a report and recommendations thereon, in accordance with the applicable provisions of paragraph (5)(C)(ii) of subsection (b), and subject to paragraph (2) of subsection (d) of section 706. The applicant, as well as representatives of the Board, shall have the right to consult with such advisory committee in connection with the question referred to it.

"(2) The appointment, compensation, staffing, and procedure of such advisory committee shall be in accordance with subsection (b)(5)(D) of section 706.

"(3) Paragraph (3) of section 513(d) shall also apply in the case of a referral to an advisory committee under this subsection.

#### "Judicial Review

"(i) The applicant may, by appeal, obtain judicial review of a final order of the Board denying, or withdrawing approval of, an application filed under subsection (b) of this section. The provisions of subsection (h) of section 505 of this Act shall govern any such appeal.

#### "Exemption for Investigational Use

"(j) (1) It is the purpose of this subsection to encourage, to the maximum extent consistent with the protection of the public health and safety and with professional ethics, the discovery and development of use-

ful devices and to that end to maintain optimum freedom for individual scientific investigators in their pursuit of that objective.

"(2) Subject to the provisions of paragraph (3), there shall be exempt from the requirement of approval of an application under the foregoing provisions of this section any device which is intended solely for investigational use (in a hospital, laboratory, clinic, or other appropriate scientific environment) by an expert or experts qualified by scientific training and experience to investigate the safety, reliability, and effectiveness of such device.

"(3) (A) The Board shall promulgate regulations relating to the application of the exemption referred to in paragraph (2) to any device that is intended for use in the clinical testing thereof upon humans by separate groups of investigators under essentially the same protocol, in developing data required to support an application under subsection (b).

"(B) Such regulations may provide for conditioning the exemption in the case of investigations intended for such use, upon—

"(i) the submission to the Board, by the manufacturer of the device or the sponsor of the investigation, of an adequate plan for the investigation, together with a report of prior investigations of the device (including, where appropriate, tests on animals) adequate to justify the proposed investigation;

"(ii) the manufacturer, or the sponsor of the investigation, of a device to be distributed to investigators for such testing obtaining a signed agreement from each of such investigators that humans upon whom the device is to be used will be under his personal supervision or under the supervision of investigators responsible to him;

"(iii) the establishment and maintenance of such records, and the making of such reports to the Board, by the manufacturer of the device or the sponsor of the investigation, of data (including but not limited to analytical reports by investigators) obtained as a result of such investigational use of the device, as the Board finds will enable it to evaluate the safety, reliability, and effectiveness of the device in the event of the filing of an application pursuant to subsection (b), but nothing in this clause or in this subsection shall be construed to require any clinical investigator to submit directly to the Board reports on the investigational use of devices; and

"(iv) such other conditions relating to the protection of the public health and safety as the Board may determine to be necessary.

"(C) Such regulations shall also condition such exemption upon the manufacturer, or the sponsor of the investigation, of the device requiring that investigators using the device for the purpose described in subparagraph (A) certify to such manufacturer or sponsor that they—

"(i) will inform individuals upon whom such device or any controls in connection therewith are used, or the representatives of such individuals, that the device is being used for investigational purposes, and

"(ii) will obtain the consent of such individuals or representatives, except where they deem it not feasible or, in their professional judgment, contrary to the best interest of such individuals.

"(D) Such regulations shall provide—

"(i) that whenever the Board determines that a device is being or has been shipped or delivered for shipment in interstate commerce for investigational testing upon humans as described in subparagraph (A) of this paragraph, and that such device is subject to the foregoing subsections of this section and fails to meet the conditions for exemption for investigational use of the device, the Board shall notify the sponsor of the Board's determination and the reasons there-

for and that the exemption will not apply with respect to such investigational use until such failure is corrected, and

"(ii) that in determining whether subparagraph (A) of this paragraph (3) is applicable and, if so, in determining compliance with the conditions of exemption, including the adequacy of the plan of investigation submitted to the Board, or upon application for reconsideration of its determination with respect to any such matter, the Board shall, if so requested by the sponsor of the investigation, or may on its own initiative, obtain the advice of an appropriate expert or experts who are not otherwise, except as consultants, engaged in the carrying out of this Act.

"Exemptions for Devices Complying With or in Anticipation of Standards, Custom-Made Prescription Devices, and Devices Made to Specifications of Licensed Practitioners for Use in Their Practice

"(k) In addition to the devices exempted by subsection (j) the Board shall, by or pursuant to regulation, exempt the following devices, with respect to any particular use or intended use thereof, from the requirement of approval under this section:

"(1) Any device which, with respect to such use fully conforms to an applicable standard in effect pursuant to section 513, or pursuant to section 358 of the Public Health Service Act, to the extent that the Board finds that the standard provides assurance that the device will be safe, reliable, and effective for such use.

"(2) Any device of a type or class with respect to which there is in effect a notice by the Board, published in the Federal Register, that in its judgment the establishment, within a reasonable time, of a standard that would adequately meet the requirements of public health and safety with respect to such use of the device (without subjecting such device to the requirement of approval under the foregoing subsections of this section) appears to be feasible; that the Board intends to propose the establishment of such a standard; and that the non-application of the foregoing subsections of this section to such type or class of device with respect to such use pending the establishment of such standard would involve no undue risk from the standpoint of the protection of the public health and safety.

"(3) Any device made to the lawful order, and in accordance with specifications, of a practitioner licensed by law to use or prescribe the use of the device if—

"(A) a device meeting such specifications is not generally available in finished form for purchase or for dispensing upon prescription and is not stocked, or offered through a catalog or advertising or other commercial channels, by the maker or processor thereof, and either

"(B) (i) such device is intended for the use of a patient, named in such order, of such practitioner, or (ii) such device is intended solely for use by such practitioner, or by persons under his professional supervision, in the course of his professional practice.

#### "Other Exemptions

"(l) (1) The Board shall also by regulation exempt from the requirements imposed by or pursuant to the provisions of this section preceding subsection (j), or from one or more of such requirements, devices licensed by the Atomic Energy Commission under the Atomic Energy Act of 1954 to the extent the Board finds it to be appropriate to avoid duplication of regulatory controls or procedures and to be consistent with the purposes of this Act.

"(2) The Board shall further, by or pursuant to regulation, exempt from such requirements, or from one or more of such requirements, devices with respect to which in its judgment the application of such requirements is not necessary for the protec-



tion of the public health, either because of the small number of devices involved, the negligible significance of the device from the standpoint of the protection of the public health and safety, or for other reasons."

#### PROHIBITED ACTS

SEC. 211. (a) Paragraph (e) of section 301 of such Act is amended (1) by striking out "or" before "507 (d) or (g)", and (2) by inserting "514(j), or 515," after "512 (j), (l), or (m)."

(b) Paragraph (j) of section 301 of such Act is amended by inserting "514," immediately after "512."

(c) Paragraph (l) of such section 301 is amended (1) by inserting "or device" after the word "drug" each time it appears therein and (2) by striking out "505," and inserting in lieu thereof "505 or 514, as the case may be."

#### PART C—REQUIREMENT OF GOOD MANUFACTURING PRACTICE

##### REQUIREMENT OF GOOD MANUFACTURING PRACTICE

SEC. 220. Section 501 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351), as amended by sections 202 and 210 of this Act, is further amended by adding at the end thereof the following new paragraph:

"(g) If it is a device and the methods used in, or the facilities or controls used for, its manufacture, processing, packing, holding, or installation do not conform to, or are not operated or administered in conformity with, current good manufacturing practice to assure that such device is safe and reliable and has the properties and performance characteristics which it purports or is represented to possess and otherwise meets the requirements of this Act."

#### PART D—RECORDS AND REPORTS: INSPECTION AND REGISTRATION OF ESTABLISHMENTS

SEC. 230. (a) Chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C., ch. 9, subch. V) is further amended by adding at the end thereof the following new section:

##### "RECORDS AND REPORTS ON DEVICE EFFECTS AND EXPERIENCE"

"SEC. 515. (a) (1) Every person engaged in manufacturing or processing, or in distributing, a device that is subject to a standard in effect under section 513, or with respect to which there is in effect an approval of an application filed under section 514(b), shall establish and maintain such records, and make such reports to the Secretary, of data relating to clinical experience and other data or information, received or otherwise obtained by such person with respect to such device, and bearing on the safety, reliability, or effectiveness of such device, or on whether such device may be adulterated or misbranded, as the Board may by general regulation, or by special regulation or order applicable to such device, require. Regulations and orders prescribed under the authority of this subsection shall have due regard for the professional ethics of the medical profession and the interests of patients and shall provide, wherever the Board deems it appropriate, for the examination, upon request by the persons to whom such regulations or orders are applicable, of similar information received or otherwise obtained by the Secretary.

"(2) Every person required under this subsection to maintain records, and every person in charge or custody thereof, shall, upon request of an officer or employee designated by the Secretary, permit such officer or employee at all reasonable times to have access to and copy and verify such records.

"(b) Subsection (a) shall not apply to—  
 "(1) pharmacies which maintain establishments in conformance with any applicable local laws regulating the practice of pharmacy and medicine and which are regularly engaged in dispensing prescription drugs or devices, upon prescriptions of practitioners licensed to prescribe such drugs or devices, to patients under the care of such

practitioners in the course of their professional practice, and which do not, either through a subsidiary or otherwise, manufacture or process drugs or devices for sale other than in the regular course of their business of dispensing or selling drugs or devices at retail;

"(2) practitioners licensed by law to prescribe or administer drugs and devices and who manufacture or process devices solely for use in the course of their professional practice;

"(3) persons who manufacture or process devices solely for use in research or teaching and not for sale;

"(4) any person, with respect to any device—

"(A) which (and the components of which) have not been in interstate commerce, and

"(B) which are not introduced or intended for introduction into interstate commerce; or

"(5) such other classes of persons as the Board may by or pursuant to regulation exempt from the application of this subsection upon a finding that such application is not necessary to accomplish the purposes of this subsection."

#### INSPECTION RELATING TO DEVICES

SEC. 231. (a) The second sentence of subsection (a) of section 704 of such Act (21 U.S.C. 374) is amended by inserting "or prescription devices" after "prescription drugs" both times it appears.

(b) The third sentence of such subsection is amended (1) by striking out "for prescription drugs", (2) by striking out "and antibiotic drugs" and inserting in lieu thereof "antibiotic drug, and devices", (3) by striking out "or section 507 (d) or (g)" and inserting in lieu thereof "section 507 (d) or (g), section 514(j), or section 515", and (4) by inserting "or devices" after "other drugs", inserting "or of a device subject to section 514" after "new drug", and inserting "or section 515" after "section 505(j)".

(c) (1) Paragraph (1) of the sixth sentence of such subsection is amended by inserting "or devices" after "drugs" each time such term occurs.

(2) Paragraph (2) of that sentence is amended by inserting "or prescribe or use devices, as the case may be," after "administer drugs"; and by inserting "or manufacture or process devices," after "process drugs".

(3) Paragraph (3) of that sentence is amended by inserting "or manufacture or process devices," after "process drugs".

#### REGISTRATION OF DEVICE MANUFACTURERS

SEC. 232. (a) Section 510 of such Act (21 U.S.C. 360) is amended as follows:

(1) The section heading is amended by inserting "OF DRUGS AND DEVICES" after "PRODUCERS".

(2) Subsection (a) (1) is amended by inserting "or device package" after "drug package"; by inserting "or device" after "the drug"; and by inserting "or user" after "consumer".

(3) The first sentence of subsection (b) is amended by inserting "or of a device or devices," after "drug or drugs"; and the second sentence of such subsection is amended by inserting "or of any device" after "drug".

(4) The first sentence of subsection (c) is amended by inserting "or of a device or devices," after "drug or drugs"; and the second sentence of such subsection is amended by inserting "or of any device" after "drug".

(5) (A) The first sentence of paragraph (1) of subsection (d) is amended by inserting "or of a device or devices," after "drug or drugs"; and the second sentence of such paragraph is amended by inserting "or any device" after "drug".

(B) Paragraph (2) of such subsection (d) is amended by inserting "or any device" after "drug".

(6) Subsection (g) is amended by inserting "or devices" after "drugs" each time such term occurs in paragraphs (1), (2), and (3) of such subsection.

(7) The first sentence of subsection (l) is amended by inserting "or of a device or devices," after "drug or drugs"; and the second sentence of such subsection is amended by inserting "or devices" after "drugs".

(b) The second sentence of section 801(a) of such Act (21 U.S.C. 381(a)) is amended by inserting "or devices" after "drugs" both times such words appear.

(c) Section 301 of the Drug Amendments of 1962 (76 Stat. 793) is amended by inserting "and devices" after "drugs" each time such word appears, except that "or devices" is inserted after "which drugs" and after "intrastate commerce in such drugs".

#### PART E—GENERAL PROVISIONS

SEC. 240. Section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321) is amended by adding at the end thereof the following new paragraph:

"(y) The term 'Board' means the Federal Medical Evaluations Board."

#### EFFECTIVE DATES AND TRANSITIONAL PROVISIONS

SEC. 241. (a) Except as provided in subsections (b), (c), and (d) of this section, the foregoing provisions of this title shall take effect on the date the provisions of sections 104 through 107 of title I of this Act take effect.

(b) Except as provided in subsection (c) of this section, paragraph (f) of section 501 of the Federal Food, Drug, and Cosmetic Act, as added to such section by section 210(a) of this title, shall, with respect to any particular use of a device, take effect (1) on the first day of the thirteenth calendar month following the month in which this title is enacted, or (2) if sooner, on the effective date of an order of the Federal Medical Evaluations Board approving or denying approval of an application with respect to such use of the device under section 514 of such Act as added by section 210(b) of this title.

(c) (1) Where, on the day immediately prior to the date of enactment of this title, a device was in use in the cure, mitigation, treatment, or prevention of disease in man, or for the purpose of affecting the structure or any function of the body of man, such paragraph (f) of section 501 of the Federal Food, Drug, and Cosmetic Act shall become effective with respect to such preexisting use or uses of such device on the closing date (as defined in this subsection) or, if sooner, on the effective date of an order of the Federal Medical Evaluations Board approving or denying approval of an application with respect to such use of the device under such section 514 of such Act.

(2) For the purposes of this subsection, the term "closing date" means the first day of the thirty-first calendar month which begins after the month in which this title is enacted, except that, if in the opinion of the Federal Medical Evaluations Board it would not involve any undue risk to the public health, it may on application or on its own initiative postpone such closing date with respect to any particular use or uses of a device until such later date (but not beyond the close of the sixtieth month after the month in which this title is enacted) as it determines is necessary to permit completion, in good faith and as soon as reasonably practicable, of the scientific investigations necessary to establish the safety and effectiveness of such use or uses. The Federal Medical Evaluations Board may terminate any such postponement at any time if its finds that such postponement should not have been granted or that, by reason of a change in circumstances, the basis for such postponement no longer exists or that there has been a failure to comply with a requirement of the Board for submission of progress reports or with other conditions attached by it to such postponement.

(d) Any person who, on the day immediately preceding the date of enactment of this title, owned or operated any establishment in any State (as defined in section 201 of the Federal Food, Drug, and Cosmetic Act) engaged in the manufacture or processing of a device or devices, shall, if he first registers with respect to devices, or supplements his registration with respect thereto, in accordance with subsection (b) of section 510 of that Act (as amended by section 232 of this title) prior to the first day of the seventh calendar month following the month in which this title is enacted, be deemed to have complied with that subsection for the calendar year 1969. Such registration, if made within such period and effected in 1970, shall also be deemed to be in compliance with such subsection for that calendar year.

#### S. 1802—INTRODUCTION OF A BILL TO AMEND THE COMMUNICATIONS ACT OF 1934

Mr. MONTTOYA. Mr. President, I am a firm believer in the concept that the broadcasting industry has the dutybound obligation to serve the public interest, and that everything possible should be done to insure that this is possible. However, it has come to my attention that certain restrictions have been placed upon the Federal Communications Commission that prevents the Commission from helping local radio stations fulfill this obligation.

Section 307(b) of the Communications Act of 1934, as amended, now reads:

(b) In considering applications for licenses, and modifications and renewals thereof, when and insofar as there is demand for the same, the Commission shall make such distribution of licenses, frequencies, hours of operation, and of power among the several States and communities as to provide a fair, efficient, and equitable distribution of radio service to each of the same.

I am proposing today to amend that section by adding the following proviso:

*Provided, however, that in such matters, sole regard shall be given to the public interest of the areas to be served and without regard to the effect on network competition.*

The necessity for such an amendment arises out of a decision of the U.S. Court of Appeals for the District of Columbia, wherein the court ruled that any disparate treatment of the ABC, NBC, and CBS radio outlets from New York City would have to be justified by "public interest reasons compelling different treatment"—*American Broadcasting-Paramount Theatres, Inc., v. FCC*, case No. 17567, decided February 25, 1965.

The FCC has taken the position that such a "per se" rule would seriously interfere with the Commission's administration of the act. In a petition for certiorari, the FCC stated:

In the foreseeable future, network relationships are likely to become more fluid than they have been in the past. In television, in particular, there is the possibility of the emergency of new networks, both national and regional in scope. Moreover, despite the enactment of the recent legislation (76 Stat. 150) requiring that all receivers be capable of receiving both VHF and UHF signals, the future equivalence of UHF to VHF facilities remains uncertain. The situation will be further complicated by the as yet undefined role of an expanding community antenna television service. A *per se* rule of network equality of facilities would

affect all of these developments. If the rule is, as the Commission believes, of doubtful validity, the Court of Appeals' decision would create uncertainty and confusion in the critical period during which the new patterns of television service develop.

The same difficulties are possible in the field of radio. For example, the Mutual Broadcasting System, the national radio network with the largest number of affiliated stations, has no network-owned station in New York City or elsewhere. A demand by it for a license on a clear channel in New York City, on the ground that it is entitled to equal treatment with the other networks, would, under a *per se* rule, raise a serious question since all of the clear channel frequencies assigned to New York City are licensed to existing stations. The Commission believes that it could not appropriately act on any such request by Mutual under a *per se* rule, but that it would need to weigh the degree of prejudice to Mutual's network service against the disruption in other service to the public which would be caused by the reallocation of existing station assignments.

The U.S. Supreme Court did not review this case. Thus, the Commission's hands are now tied by the appellate court's decision unless legislative relief is afforded. The court of appeals did not point to any provision of the Communications Act, the rules of the Commission, or any legislative history of either to support its position on equality of treatment of networks. It is without judicial precedent, and according to the FCC is contrary to other decisions of the U.S. Supreme Court.

My interest in this whole matter stems from the fact that an Albuquerque radio station has been involved in a year's long struggle with the ABC network-owned radio station in New York City over rights to broadcast over 770 kilocycles. The ABC station seeks to deny legitimate rights to the Albuquerque station because of slight interference with ABC's New York-originated signal in the Midwestern States. ABC brought the aforementioned suit against the FCC solely to deny the Albuquerque station its rights.

The FCC, in a September 1958 decision, had found that the Albuquerque station should be entitled to fully enjoy the facilities and coverage on 770 kilocycles, as this would best serve the public interest.

Passage of the legislation I have proposed would thus enable the Commission to bring this about if it found that such action would still serve the public interest. I believe this is fair and just, and urge my colleagues to join me in support of this legislation.

Mr. President, I ask unanimous consent to have the text of my bill printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1802) to amend the Communications Act of 1934 in order to require that the public interest of the areas to be served be the sole consideration in the allocation of certain facilities pursuant to such act, introduced by Mr. MONTTOYA, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 1802

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 307(b) of the Communications Act of 1934 is amended by inserting before the period at the end thereof a colon and the following: "Provided, however, That in such matters, sole regard shall be given to the public interest of the areas to be served and without regard to the effect on network competition".*

#### ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTION

Mr. PROXMIRE. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from California (Mr. MURPHY) be added as a cosponsor of the bill (S. 1782), to amend section 7(b) of the Small Business Act to provide for new interest rates on the Administration's share of disaster loans.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, at the request of the Senator from Washington (Mr. JACKSON), I ask unanimous consent that, at its next printing, the names of the Senator from Nevada (Mr. BIBLE), the Senator from Massachusetts (Mr. BROOKE), the Senator from North Dakota (Mr. BURDICK), the Senator from Connecticut (Mr. DODD), the Senator from Alaska (Mr. GRAVEL), the Senator from Oklahoma (Mr. HARRIS), the Senator from Michigan (Mr. HART), the Senator from Indiana (Mr. HARTKE), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Hawaii (Mr. INOUE), the Senator from Washington (Mr. MAGNUSON), the Senator from Wyoming (Mr. MCGEE), the Senator from South Dakota (Mr. MCGOVERN), the Senator from Montana (Mr. METCALF), the Senator from Wisconsin (Mr. NELSON), the Senator from Connecticut (Mr. RIBICOFF), the Senator from South Carolina (Mr. THURMOND), the Senator from New Jersey (Mr. WILLIAMS), the Senator from Texas (Mr. YARBOROUGH), and the Senator from Ohio (Mr. YOUNG), be added as cosponsors of the bill (S. 1076) to establish a Youth Conservation Corps in the Departments of Interior and Agriculture.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, on behalf of the Senator from Wisconsin (Mr. NELSON), I ask unanimous consent that, at its next printing, the name of the Senator from New Jersey (Mr. WILLIAMS) be added as a cosponsor of the bill (S. 1363) to provide for support by the Teacher Corps of programs in which volunteers serve as part-time tutors or full-time instructional assistants.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, on behalf of the Senator from West Virginia (Mr. RANDOLPH), I ask unanimous consent that, at its next printing, the name of the Senator from Rhode Island (Mr. PELL) be added as a cosponsor of the joint resolution (S.J. Res. 7), proposing an amendment to the Constitution of the United States extending the right to vote to citizens 18 years of age and older.

The VICE PRESIDENT. Without objection, it is so ordered.



### ADDITIONAL COSPONSOR OF RESOLUTION

Mr. DIRKSEN. Mr. President, in behalf of the Senator from Vermont (Mr. PROUTY), I ask unanimous consent that, at its next printing, the name of the Senator from New York (Mr. JAVITS) be added as a cosponsor of the resolution (S. Res. 168) providing a new approach to financing college educations.

The VICE PRESIDENT. Without objection, it is so ordered.

### SENATE RESOLUTION 180—RESOLUTION DESIGNATING MAY 6, 1969, AS "A. PHILIP RANDOLPH DAY"

Mr. HARRIS. Mr. President, I submit for appropriate reference, a resolution to declare May 6, 1969, as "A. Philip Randolph Day."

On April 15, 1969, A. Philip Randolph will be 80 years of age and on May 6, 1969, his birthday will be celebrated by friends and dignitaries at the Waldorf-Astoria Hotel in New York City.

The contribution A. Philip Randolph has made to his people and to this Nation deserve special recognition. He has in the past been referred to as Dean of Civil Rights, a Man for all Seasons and has been recognized by leaders of this Nation to be a truly great man.

In 1964 Mr. Randolph was presented the Presidential Medal of Freedom, the highest American civilian award, by President Johnson which reads in part:

Trade unionist and citizen, through four decades of challenge and achievement, he has led his people and his nation in the great forward march of freedom.

The great accomplishments which prompted this citation are too numerous to recall, but were all attained with dignity and restraint and without a single act of violence. He has proceeded through the years to assist in the building of a Negro-labor alliance and to the integration of the Negro people into the economic, social, and political life of America, through the application of principles of nonviolent reform.

His participation in the labor movement, from the organization of the Brotherhood of Sleeping Car Porters in the 1920's to vice president of the AFL-CIO and international president emeritus of the Brotherhood of Sleeping Car Porters in the 1960's, has contributed greatly to the attainment of just and deserving rights by the poor and working man of all races.

It is therefore appropriate that we recognize this outstanding man for accomplishments past and present and for those which will surely come in the future.

The VICE PRESIDENT. The resolution will be received and appropriately referred.

The resolution (S. 180), which reads as follows, was referred to the Committee on the Judiciary.

S. RES. 180

Whereas A. Philip Randolph has dedicated his life to the securing of dignity, justice and equality for the Negro in America;

Whereas Mr. Randolph has worked diligently to meet the needs of the working man and has made a tremendous contribution to the American trade union movement;

Whereas Mr. Randolph has dedicated his life to the building of a Negro-Labor alliance and to the integration of Negro people into the economic, social and political life of America;

Whereas Mr. Randolph will be celebrating his 80th birthday on April 15, 1969;

Whereas a special celebration for Mr. Randolph's birthday will be held on May 6, 1969, at the Waldorf-Astoria Hotel in New York City: Now, therefore, be it

Resolved, That the Senate designate May 6, 1969, as "A. Philip Randolph Day."

SEC. 2. The Secretary of the Senate is directed to transmit to A. Philip Randolph a copy of this resolution.

### NOTICE OF HEARINGS ON EDUCATIONAL MATTERS

Mr. PELL. Mr. President, I wish to announce that the Subcommittee on Education of the Senate Committee on Labor and Public Welfare is planning to start its hearings on education matters for the first session of the 91st Congress.

The initial plans call for open hearings on S. 1611, a bill to amend Public Law 85-905 to provide for a National Center on Educational Media and Materials for the Handicapped, on Monday, April 21; and open hearings on S. 1519, a bill to establish a National Commission on Libraries and Information Science, on Thursday, April 24th, both to be held in the hearing room of Labor and Public Welfare Committee.

### "I AM CURIOUS—YELLOW"

Mr. DIRKSEN. Mr. President, a Swedish film has been shown and perhaps still is being shown in Washington, D.C. It is being shown in Sweden, Denmark, and the United States. It was banned in Norway. It was censored in France and Germany, and a New York jury found it obscene. The U.S. Circuit Court of Appeals in New York overruled the finding. It was relying on guidelines in decision of the U.S. Supreme Court. There you have it. A jury, mindful of the community morals, finds the film obscene. A Federal appellate court, taking its cue from the High Court, declares otherwise.

It was precisely this situation in previous cases which impelled me to introduce S. 1077, which would restrict the jurisdiction of the Federal courts to set aside a determination made by a jury on the question of whether certain matters are, in fact, obscene. It would leave it with the jury in the community to determine what they think the moral standards and the moral atmosphere should be in which their youngsters are to be reared.

I ask consent to have printed in the RECORD an article published in the March 10, 1969, issue of the Wall Street Journal, an editorial published in the March 8 issue of the San Diego, Calif., Union, and an editorial published in the Washington Post of March 31.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Mar. 10, 1969]

THE BARRIERS FALL: AS CENSORSHIP RELAXES, DEBATE GROWS ON IMPACT OF NEW PERMISSIVENESS—EFFECTS OF EROTICA ON HUMAN BEHAVIOR STUDIED—EXPERT SEES SHOCK VALUE WANING—WILL PURITANISM COME BACK?

(By Alan Adelson)

NEW YORK.—The Swedish film "I Am Curious—Yellow" was banned altogether in Norway and, for a while, Belgium. It was censored in France and Germany and will be cut for showing in England.

Only in Denmark, Sweden—and the U.S., beginning today—is it being shown uncut.

The 120 minutes of screening time depict the hero and heroine in abundant nudity, various scenes of intercourse (including one in the crook of a tree) and more exotic sexual play. It has a dream sequence in which the heroine castrates her lover. There also is a good bit of ponderous political debate.

The U.S. Customs Office sought to prevent the film's entry into this country, and a jury found it obscene in a New York Federal Court. A Court of Appeals reluctantly concluded that it couldn't be banned, however, relying on guidelines of Supreme Court decisions.

The Appeals Court voted two to one to release the film uncut, saying, "The sexual content of the film is presented with greater explicitness than has been seen in any other film produced for general viewing." Judge Henry J. Friendly was explicit too in saying that he was reluctantly concurring "with no little distaste."

### FOR AND AGAINST

Some viewers may be pleased, others perplexed or angered, but the showing of "I Am Curious—Yellow" seems to qualify as a significant event. Those who tilt against all forms of censorship see it as marking the emergence of the U.S. as a leader in free speech and expression. To quite another group, the film is the final confirmation of a disaster they have long seen brewing. The growing permissiveness of American society, they maintain, has finally reached total depravity.

For or against, it is difficult to argue with one observation: The barriers are coming down. In the Off-Broadway play entitled "Dionysus in '69," five nude men and four naked girls celebrate a Greek rite by slithering over one another and romping through the audience. Last week a New York City producer announced plans for a play to include on-stage intercourse. Philip Roth's steamy novel "Portnoy's Complaint" has climbed rapidly to the top of best-seller lists (the author says the book is a deliberate effort to elevate obscenity "to the level of a subject" for serious art).

And as the barriers fall, the debate over what the relaxation means, how far it should go and why it is happening is intensifying. Father John Culkin, an ardent student of Marshall McLuhan and director of the Center for Communications at New York's respected Fordham University, sees the anticensorship explosion as rooted in American Puritanism.

### SHAKEDOWN CRUISE

"We're reaping a reaction to the very repressive atmosphere we've maintained in our families, churches and schools," Father Culkin says. "Calvin and those creeps left us very uptight. We weren't allowed to have bodies. And what we're going through now is a shakedown cruise exploring a new morality."

The cause of such rapid change, says, Father Culkin, echoing Mr. McLuhan, is the growth of the electronic media. Years ago, he says, it took half a century for styles and

mores to change significantly, because information spread so slowly. Now the latest vogue from the miniskirt to accounts of the off-beat lives of the "swingers" is flashed across the nation by television.

But if the media seem to reflect a new sexuality, Americans actually aren't changing their mores radically, according to Paul Gebhard, director of the Institute for Sex Research (formerly the Kinsey Institute). However, Mr. Gebhard says his interviewers have found a striking readiness to tolerate discussion and airing of the so-called revolution.

"Where there has been a revolution is in censorship," he says. "The trend toward liberalization of what's allowed in the media has been going on since World War I." Mr. Gebhard points out that court decisions have accelerated the trend in the past decade. The underground market in erotic books has nearly disappeared, he says.

The legal transformation of dirty books into "literature" was lamented ironically in an article by Jerome H. Doolittle in *Esquire* magazine. Mr. Doolittle watched his once-cherished collection of taboo books smuggled from France appear in book stores volume by volume. "Fanny Hill" and the Henry Miller and William Burroughs books went fairly early.

#### VANISHING TREASURES

"My only remaining comfort was the thought that I was still the only kid on the block to own such hard-core items as 'The Roman Orgy,' 'The Pleasure Thieves' and 'Houses of Joy,'" Mr. Doolittle wrote. But then came "The Olympia Reader," a massive collection of stories that contained his own favorites and many other erotic tales.

Mr. Doolittle was encountering what one student of censorship and the courts calls "the grapes of Roth." The Supreme Court in 1957 upheld the obscenity conviction of Samuel Roth, a New York book dealer. In doing so, the court laid down what have come to be the boundaries within which publishers and film makers can operate.

The Roth case, and later decisions that made slight clarifications, established that obscenity could be proved only if "... to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to prurient interest" and the work is found to be "utterly without redeeming social importance."

The Appeals judges cleared "I Am Curious—Yellow" because it included serious social and political themes. The vagueness of just what constitutes "redeeming social importance" has produced many successful legal defenses of books and films which somewhere concern themselves with matters other than sex.

"As long as children are excluded from access, we can win with almost anything now," says Richard Gallin, the New York attorney who negotiated "I Am Curious—Yellow" past the Customs Office. Ephraim London, an attorney who has won six such cases in appeals to the Supreme Court, says only a movie "with out-and-out intercourse and no pretense of having any social value" is in peril before the courts now.

Barney Rosset, president of Grove Press, which is distributing "I Am Curious—Yellow" in the U.S., believes sex has its own redeeming social importance. "After all, if it weren't for sex, we'd depopulate the entire human race," he says. Mr. Rosset, in fact, argues, "There's no such thing as pornography. Things can be erotic, and they can be good or bad (in quality), but I just don't believe in censorship."

The argument over what is pornographic, or "prurient," has been raging for decades. For D. H. Lawrence, author of "Lady Chatterley's Lover," pornography was not vivid sexual description but "the attempt to insult sex, to do dirt on it." That he said,

was "unpardonable" and cause for censorship.

Mr. Rosset finds prurient interest in the TV commercial where a Scandinavian girl, pitching for Noxzema, purrs "Take it off, take it all off." Declares Mr. Rosset, "She's saying, 'Hurry up and shave with this stuff so we can go to bed.' And no one says they can't keep running that ad all the time." He groups such appeals with the dirty postcards and traveling salesmen's jokes that D. H. Lawrence found offensive. However, Mr. Rosset wouldn't censor the commercial—or anything else.

#### CONVINCING POINT

Lawyer London recalls his first censorship case. A state prosecutor wanted to proscribe the film "The Bicycle Thief" because it depicted a little boy urinating. "I made it very clear that the whole state would be thrown into scandal if they insisted that the sight of this lad urinating aroused their prurient interests," he says. "That was all it took."

"No girl was ever ruined by a book," said Jimmy Walker, the free-wheeling mayor of New York City during the Roaring Twenties. But the advocates of censorship don't agree. Father Morton Hill, a New York priest who went on a hunger strike several years ago in connection with his campaign to clean up magazine stands, says exotic literature "incites to violence, drug usage, promiscuity and perversion."

Rabbi Julius G. Neumann, chairman of the organization called Morality in Media (which is still fighting the showing of "I Am Curious—Yellow"), says the new era of permissiveness is breaking every barrier of decency. "It's eating away at the moral fiber of America," Rabbi Neumann says.

Actually, there has been little research into the effects of erotic material on its consumers. The Institute for Sex Research challenges the assumption that the circulation of pornography inevitably leads to an increase in sex crimes. On the contrary, interviewers found that persons classified as potential sex offenders are less responsive to erotica than a normal "control" group. The prospective rapists, voyeurists and exhibitionists didn't have the patience to plod through make-believe sexual experiences.

#### WOMEN AND MEN

In a 1953 study on comparative sexual behavior in men and women, Kinsey researchers found that men were more stimulated than women by "hard-core" pornography. But women were at least as responsive as men to the more artistic type of sexual material now current in films and books.

Only 32% of women studied were stimulated by "raw" pictures of sexual acts, compared with 77% of the men. But 48% of the women responded to erotic scenes in films, compared with 36% of the men, and 60% of the females found erotic passages in novels stimulating, against 59% of the men.

Mr. Gebhard, the director of the Institute for Sex Research, speculates that current liberalizing trends might be making both men and women more equal now in response to erotica. And he says that the "bombardment with sexual stimulus" that now is commonplace may be conditioning consumers to take erotica for granted. "I think a young man now is no more aroused by a pretty girl in a miniskirt than my grandfather was by the sight of a well-turned ankle," he says.

Dr. William Masters, co-author of "Human Sexual Response," says he hasn't found any great influence in pornography on people's lives. Ned Polsky, a sociologist at the Stony Brook campus of the State University of New York, goes so far as to maintain that pornography has a positive role as a "safety valve," allowing the indulgence of antisocial sex desires without damage to the family structure.

#### THE YOUTH WAVE

Several theoreticians find a relationship between falling censorship barriers and the

widening "generation gap." John Gagnon, also a Stony Brook sociologist, says that some young people use sex as an instrument of rebellion against a wide variety of social institutions. He finds particularly relevant a scene in "I Am Curious—Yellow" in which the young couple make love on a balustrade in front of the royal palace in Stockholm.

Fordham's Father Cuklin says young people are exposed to all the problems of the world through their exposure to increasingly candid films, television shows and publications. Thus, he says, they find that such sins as unmarried sex, stealing and lying "just don't account for all our problems—they say, 'Well, what about war?' And then they write their own moral codes."

To be sure, not all bans have been dropped. Last week Boston authorities halted showings of the movie "The Killing of Sister George." A similar raid was made on a New York City theater showing "Muthers." A district attorney charged that this film depicted "masturbation, lesbianism, incest, sodomy and perversion."

Some observers suspect that Puritanism may reassert itself. Margaret Mead, the anthropologist, insists that Puritanism never really vanished. "All this business about clothes on and clothes off is really the same thing," she says. "It's only the older folks, the Puritans, who get excited about this sort of thing and get kicks out of it."

[From the San Diego Union, Mar. 8, 1969]  
COURTS PROVIDE PEEP HOLES—ACTION IMPERATIVE TO CURB SMUT

Every person concerned about the welfare of his family and community should make it a point to take a scheduled tour of the San Diego Police Department to see the exhibit about pornography.

The courts have ruled that the material on display is legal. By judicial definition this means that the salacious pictures, clipped from magazines, do not go beyond the limits of "ordinary candor," do not appeal to "prurient interests" and do have "redeeming social value."

We believe that any person seeing the typical cross-section of salacious material on exhibit will think the courts are oblivious to the responsibility for protection of society from gutter filth and wholesale demoralization.

It is smut of the most repulsive kind. The pictures are not art—they show men and women in naked poses with close-up photography that leaves nothing to the imagination.

No decent family would have magazines with these pictures in its home. But a youth of any age with a few dollars can buy one of these publications in 20 stores in San Diego—legally.

The same youth could visit more than 20 peep shows in the downtown San Diego area where color and motion is added to the prurience. Some of the peep shows and book stores are off limits to military personnel, but nothing deters a civilian youth from being a patron.

Perhaps the most alarming aspect of the Police Department exhibit is the way it shows an increasing boldness of the smut peddlers. Just a relatively few years ago a smutty picture was naughty voyeurism. Today the photographs show all parts of the body in detail. Tomorrow they might depict sexual activity or sexual play—still fortunately forbidden by the California Supreme Court.

We believe that every concerned adult in the San Diego area should take the Police Department tour as an obligation of citizenship. It will be continued every Saturday and Sunday from 1 a.m. to 4 p.m. through March.

During the tour a visitor should pay close attention to his guides—intelligent, dedicated and concerned police officers who have been fighting our battles for us. They need



our help and if they don't get it we will be the victims.

Initially, the best help we can offer is to raise our voices for the passage of Assembly Bills 62 and 63. These would prohibit persons from selling or distributing smut to any person under 18 years of age.

We should ask why the filth can be shown to the youth of California but not to the youth of neighboring states. We also should ask for laws that clearly establish definitions of pornography and support their enforcement.

Apathy will not solve the smut problem which is reaching crisis proportions in undermining our youth.

We must act. The courts have failed!

#### SENATOR DIRKSEN'S INCURIOSITY

The exhibitors of the Swedish film "I Am Curious (Yellow)" which is to open here tonight doubtless have a gold mine on their hands—a gold mine the veins of which are being steadily enriched by people who denounce it as obscene, pornographic, salacious, lascivious and otherwise indecent. The film has already been on exhibition in New York, and, according to Variety, its first week of box-office receipts set "an absolute record for a first-run N.Y. art—without any qualifications whatsoever."

Charging that the film shows "open fornication" on the screen, Sen. Everett Dirksen announced plans the other day to make a speech about it in support of his bill to limit the Supreme Court's power to review jury decisions in obscenity cases. Had he seen the film himself? "Lord, no," the Senator thundered.

In our opinion, the Senator would be well-advised to stay away from the film. We can say with confidence that he would like it even less if he saw it than he does now without having seen it. It is simply not a film for people who dislike the depiction of "open fornication" on the screen. There are critics who say that this fornication is artistic or otherwise socially significant and who see in the film some sort of cinematographic "landmark." Nevertheless, we would defend to the death Senator Dirksen's right to avoid it.

Fortunately, attendance at the film is in no way compulsory. In point of fact, admission to it is dependent upon the payment of at least \$2.50 (\$3.50 on weekend and holiday evenings), prices doubled for this particular attraction. So only the curious, and the reasonably affluent, need apply. And another thing, under D.C. law, admission is restricted to persons over 18 with suitable identification.

Now, why, we wonder, if the persons who want to go to see "I Am Curious (Yellow)" are willing to let Senator Dirksen stay away from it, is he not equally willing to let them pay their money and make their own choice as to whether it is art or obscenity. The decision is obviously not an easy one. A Federal District Court jury in New York condemned the picture as obscene. But the Second Circuit Court of Appeals overturned that verdict on the ground that the film was not wholly without redeeming social value. Perhaps the Supreme Court will be asked to add its opinion to the judicial controversy. But in the end, the decision about the merits of this curiosity will lie with the public. Is that such a bad idea?

Mr. DIRKSEN. I am a great believer in the jury system, and I feel the decision about the merits of this curiosity should be made by a jury.

I also ask unanimous consent to have printed in the RECORD an article entitled "The Mess Found on Broadway," written by William T. Buckley, and published in one of the New York newspapers.

There being no objection, the article

was ordered to be printed in the RECORD, as follows:

[From the Sentinel, Apr. 10, 1969]

#### THE MESS FOUND ON BROADWAY

(By William Buckley)

It wasn't hard to predict (I did so at the time in as many words) that when the Supreme Court ruled that the states could not suppress reading matter or by extension movies provided that they included something of social interest, that that was the end of antiobscenity legislation, notwithstanding the Supreme Court's reassurances to the contrary.

New York being a vigorous city, full of entrepreneurial verve, it is not surprising that it has emerged, in the few years since the court's decision, as the metropolitan center of pornography. It had, to be sure, a long underground apprenticeship.

A witticism of John Lindsay is recorded that when he was the congressman for Manhattan and voted on a single day against a subversive control bill and against an obscenity control bill, that he commented to an aide that Congress was trying to crack down on his constituency's two major products.

Now the social-interest bit is intellectually confusing. In the first place, anybody can insert social interest into a sex book or a sex film in about, oh, 10 minutes. In the second place, the term "social interest" is itself meaningless. Why is it not of social interest to read about the sexual affairs of Mr. Satyrus and Madame Nymphomaniac? Certainly Freud would have found it socially interesting, inasmuch as sexual relations lead to psychological insights which are of social interest.

In other words the Supreme Court acted either thoughtlessly or disingenuously; thoughtlessly if it really thought that fine lines would ensue from its decision; disingenuously if it pretended to salvage antiobscenity legislation but actually foresaw that within a few years people would be lining the streets outside theaters in New York to see coupling couples on-screen.

The interesting questions at this point are the responses of the community. It is probably fair to say that much of the community is outraged. But my notion is that the Supreme Court and the Congress have trained us well to accept rulings by the Supreme Court as irreversible.

Four years ago the Supreme Court ruled that we could not recite a common prayer in the public schools, not even one which the community's priests, ministers and rabbis approved. On that occasion, 49 out of 50 governors of our states came out for a constitutional amendment, and see what happened. As much is likely to happen in the drive to control obscenity.

What is most discouraging is the level of analysis. The incomparable Mr. Art Buchwald was on television the other night and professed his utter unconcern with the subject. His point was that love is a perfectly wholesome thing, by contrast with, for instance, violence. Rather, he said, the sex act on-screen, than somebody sticking a knife into somebody. Now the trouble with analysis carried on at that level is that it takes us away, not towards, an understanding of the issues.

To dispose of the analogy, it does not follow from the wholesomeness of anything, that it is appropriate to conduct said anything on a public stage. The tradition of "clothing our nakedness," as the Bible puts it, is not to be confused with the Manichaean tradition of loathing one's body or despising natural bodily acts.

Such violence as we see on stage is feigned and reminds the viewer of an unenviable aspect of the human condition. If all viewers were sadomasochists, the same objections that nowadays apply to promiscuous sexual

encounters on-stage might be plausibly raised. But the purpose of the kind of theater we are here referring to is not to edify, or to instruct, or to ennoble: but, at the expense of the players, to slake—or stimulate—the public lust. And it is as much a community decision whether this is desirable as it is a community decision whether there should be public brothels.

Mr. DIRKSEN. Mr. President, if this does not alert people and awaken them to what is going on by way of a deterioration of the moral standards and the atmosphere, then I do not know what will.

I expect to pursue the matter, Mr. President, and to pursue it with some vigor. I serve notice now that if I cannot get action on this bill in the committee on which I serve, I am going to hook it onto any measure that comes along, and make a determined attempt to cope with the terrible problem of pornography and obscenity that now besets our movies, our television, our literature, and everything else.

#### A SERMON ON THE FREEDOM OF MAN—PART II: COMMUNISM

Mr. ERVIN. Mr. President, on April 2, 1969, Representative L. H. FOUNTAIN, of the Second Congressional District of North Carolina, inserted in the CONGRESSIONAL RECORD a sermon preached by the Reverend Charles S. Hubbard, minister of the First Methodist Church, Wilson, N.C., entitled "A Sermon on the Freedom of Man—Introduction."

Mr. Hubbard has preached a second sermon on the general theme of the freedom of man which bears the title "A Sermon on the Freedom of Man—Communism," which merits the widest possible dissemination. This is so because such sermon deals in the most eloquent and lucid manner with the fundamental characteristics of communism, which is bent on extinguishing the lights of liberty throughout the earth.

I ask unanimous consent that this second sermon on the general theme of freedom be printed at this point in the RECORD.

There being no objection, the sermon was ordered to be printed in the RECORD, as follows:

#### A SERMON ON THE FREEDOM OF MAN—PART II: COMMUNISM

In our next section I am going to talk about some of the dangerous causes right in our midst. A lot of these are inter-related with one major and evil cause that I shall hold before you at this time. It is Communism. I believe that to a great extent the trends that tend to strangle human freedom in the United States find their roots deep in the Communist manifesto, that is not much over a hundred odd years old. And I believe that many foolish responses that are made by people in the United States to present problems have been conditioned by this Communist manifesto. Now, I know there are many people who say, "Why, that can't be so, preacher, because free people do not like communism." Yes, but I would accuse half of you in this church that you wouldn't recognize a communist line when it appeared—not half the time, and that's the danger. Our proneness to propaganda and our brainwashing—I'll say it again, brainwashing—has led us to believe what is not true. We even try to attribute Christian principles and motives to atheistic communist leaders, and that is not true. We also try to believe

that when Communists use the same precious terminology of freedom we use, they mean the same thing. And that is never true.

For instance, let me compare some Communist and American definitions of the same terms. My source for this information is the Hoover Institute, Stanford University, which has done major research in this field and has just published a report relating to word-manship, or semantics, Communist weapon against you and me. Using the very words we like best, Communism is attacking democracy where we are at our weakest—in our own soft-headed love of wishful thinking. Let us look at some of these definitions.

What does the Communist semanticist mean by "democracy"? He means "the dictatorship of the proletariat"—and that is all he means! What does he mean by "planning"? He usually means expropriation of property. What does the Communist mean by "liberation"? He means revolution. That's all he means. He disguises the word "communism" for the consumption of Westerners by simply calling it "anti-colonialism," "anti-imperialism," "anti-Fascism." Every time he uses any of these terms, he is talking about communism. And by "peaceful co-existence"—and we heard that at the United Nations so very recently—that there will be peace and co-existence in Korea when foreign troops leave South Korea. The speaker didn't mention foreign troops in North Korea. He said nothing about foreign troops in East Germany, or foreign troops in Hungary. He did not say anything about foreign troops in Poland, or on and on and on. And what does he mean by "peaceful co-existence"? He means that we are to be persuaded to abandon our own national security program and scrap our military forces so Communism can take over. That's what he means by "peaceful co-existence!" And that is all.

Well, is that entirely impossible to tolerate? I have even heard a minister or two—and some professors who profess to teach religion—say that it might be all right for them to take over; and then we can bore from within. So right now is a good time for me to remind you, according to the great Charles Malick, an international statesman from Lebanon, that in the 44 years that communism has been an imperialist movement, not one foot of ground that they have completely taken over has ever been taken away from them. Not one foot! So what do you mean—bore from within? Anybody is free to vote for a communist; but after he votes for the communist, he is never free to vote him out. That is a funny freedom! You say it can't be that bad, that people defect from the United States of America—oh, yes they have—maybe a few hundred people have defected from the United States of America to communism since the Second World War. Add a few who were escaping communist spies. Add a thousand or so who were dodging the draft or deserting from the armed forces, who did not go to communist countries. We confess to that few! And, of our few defectors, many have returned to the United States voluntarily—at the risk of going to jail.

How about the Communist World since the Second World War? How happy have their citizens been in these countries that advertise land, bread and peace? Since the Second World War, over nineteen million persons have escaped from behind the Iron and Bamboo Curtains. (And untold millions more were killed trying to escape.) Why did they leave? Why? Just to be free.

How are we going to compare a small company of Americans, half of whom are prisoners and brainwashed, with nineteen million people who have left communist countries since the Second World War? We will not try to make the comparison. But a good Communist or a stupid American might try.

And the sobbers continue to cry, "But, it's changed! They can't be that bad!"

Recently, four young Soviet writers were

sentenced to hard labor in Siberia because their writings urged the government to grant more freedom to the Russian citizen.

"But it's changing!" you say. I wish it were so. There has been some sign of change in the satellite countries, but everything that you and I look upon hopefully as a change in Soviet foreign policy has been nothing but a temporary expedient.

Do you really know what international communism stands for? Do you know the four pillars that hold it up? Do you know the four indispensable props that can never let go? I'll tell them to you, for right here is the "battleground of America;" right here is a battleground of freedom; and right here is the battleground of your souls. Here they are.

(1) Everything in nature is the product of accumulated chance. That is communistic doctrine. There is no design; there is no law; there is no God.

(2) Human beings are simply evolved beasts—no more; no breath of God was breathed anywhere. Humans are evolved beasts; therefore, human life is no more sacred than that of a pig.

(3) There is no such thing as moral right or wrong. Now, Lenin stated, and I quote him, "The upbringing of Communist youth must not consist of all sorts of sentimental speeches and precepts. Morality is that which destroys the old, exploited society"—(which is any society other than Communist). Communist discipline demands that every subject person obey blindly. This, they say, is good, and therefore is morally right.

And—what's number four?

(4) All religion (not just the Methodist Church—the Baptist Church or the Christian faith, but all religion) must be overthrown—because it opposes the spirit of World Revolution.

Now, Marx did say that religion is "the opiate of the people," but more recently Yaroslavski wrote, "Atheism is the natural and inseparable part of Marxism." More recently the magazine, *Young Bolshevik*, which is promoted in every Russian home, had this to say, (and I quote directly from the magazine): "If a Communist youth believes in God and goes to church, he fails to fulfill his duties."

These, then, are the four major premises of Communist doctrine. They have not been changed since the beginning of the Communist revolution and there is no reason to believe that they will change in the future. The softest time we have known was under the leadership of Krushchev. Oh, how many people yearn that "old papa Krushchev" was back in charge! What did he say? He said that "the Soviet state will renounce Communism when shrimp learn to whistle!" He said it, and he believed what he said. These beliefs are necessary if communism is to take over the world; and if they can, they do intend to take over the world! And when you come to believe that they intend to do it, you can defend against it. But if you continue to think wishfully, probably they shall take it over.

Oh, we want to live too much. Oh, we want to live too much! There are many things worse than death. I would be happy to commit myself, my family, you and all your families, to death this day if, for that price, I could buy the promise of real freedom for our great grandchildren. Then that price would be cheap indeed. But if we keep swapping a little freedom today and tomorrow for a little more security and time today and tomorrow, pretty soon there won't be anything worth fighting for, and the Communists will prove to be right, because they will be in charge, and your freedom and dignity will be gone.

Now, what are the Communists trying to do? They have a three-point program for the United States of America. It is not a new program, but you can begin to see some of it. It is already working here.

First, Communists will influence all major national organizations, all trends, all movements. Mr. Hoover said they were in the forefront at the Pentagon march for peace! They've been in many civil rights demonstrations; they are disrupting college campuses; they may be right here in the streets of your city now. All we've got to do is nothing long enough, and pretty soon we will look at our own spilled blood. Our luck won't hold out.

Second, Communists will work to divide America into antagonistic special interest groups and then encourage each to seek its own welfare, never the welfare of America as a whole. Now, what has been happening in the last ten years? Isn't that exactly what we are beginning to see? Isn't that the great play of race against race? And the poor against the rich? And class against class? Labor against capital? Hasn't it been "Me first and the devil take the rest?" Did you know this condition has been communist policy for the last twenty years for the United States of America?

Third, Communists will manipulate mass thinking. They will find the mood of the masses and then guide this mood to their own use. Obviously, they didn't get hold of me today!

Now, using these techniques, the "Reds" are confident that they can get you to accept certain conditions, little by little; certain points of view, little by little; until you accept their "bait" today, and tomorrow sometime you will go passively "like sheep to the slaughter-house" and not whimper at all. You will then be conditioned as a social-slave.

My friends, our problem today is not only that we do not take the Communist threat seriously; we do not even take our own blessed way of life seriously. We have grown fat; we have grown satisfied on the fruits of freedom and the Christian faith that made these fruits possible; and in turn, we have returned to God doubt and disobedience. We have made our own little gods of business and pleasure and status-seeking. We have allowed our children to become religious illiterates, and don't tell me they aren't because I know they are! And we are being suckered right now into selling our birthright of responsible Christian freedom for some "devil's pottage" of secular materialism. I say, "Wake up, America! Wake up! While you still can wake up!"

Your little respect for human freedom is not enough respect. Your little devotion for democracy is not enough devotion. Your little love for God is not enough love. Wake up from your sleep, America, while you can still wake!

Now, a brilliant man by the name of Dimitri Z. Manuilsky teaches in the Lenin School of Political Warfare in Moscow, and he describes Communist strategy for the period of the sixties, a period just now concluding. We thought we had it easy in sixty-one, two, three, four and five, didn't we? I quote him, "The bourgeoisie"—now that's you—"will have to be put to sleep, so we will begin by launching the most spectacular 'peace movement' in history. There will be electrifying overtures, unheard of concessions; the capitalist countries, stupid, and decadent, will rejoice to cooperate in their own destruction. They will leap at another chance to be friends, and as soon as their guard is down, we shall smash them with our clenched fist."

I quoted the director of the School of Political Warfare in Moscow. *All Right; what shall we do?*

First, we had better keep America militarily strong. We had better keep America prepared. There is no other way we can neutralize their armed might. We must be a nation that loves peace, but we had better not be a nation that buys peace with slavery.

Secondly, our representatives now negoti-



ating had better negotiate with their eyes open, knowing that they are dealing with atheists, with liars and with back-stabbers.

Third, we must be as loyal to human dignity and freedom as they are loyal to degradation and slavery. This means that we shall commit ourselves totally to the God of Jesus Christ. If we are going to survive, we had better. Totally! Not part way. He is the only Author and Sustainer of dignity and human freedom. But let's be specific. We who are parents had better stay close to our children; and we who are teachers had better do that too, and make real sure that they are being trained to think like Washington, and Jefferson, and Lincoln, and *not* like Lenin and Marx. And while we provide for the physical needs of our families, we had better not forget their spiritual needs. It has been shown again and again that an agnostic mind is already three-fourths conquered by Communists. And we had better make that Holy Bible a *read* book in our homes. We had better—while there is still time. We had better take our children to church and church school instead of *sending* them, while there is still time. We had better be loyal to our church while there is still time. We had better come to it; we had better pray for it; we had better serve it. We had better give to it; knowing that an investment in Christ's church today is the best investment we can make to a free world tomorrow.

And we had better make our homes cells of Christian thought, just like the Communists make theirs cells of anarchy and hate. There, in the midst of our family, we will find the power of prayer and we will find the binding unity of devotion. We had better be active in the Parent-Teachers Association; we had better be active in Boy Scouts, and Girl Scouts; we had better be active in civic groups today. We had better be active in politics—all of us. We had better be active in every organization that will help our adults, youth and children grow into spiritual and social maturity. And we, each one of us here, had better witness our loyalty to Christ. And we had better quit being timid and ashamed. Christ and his Kingdom shall come before all other loyalties in our lives, or it shall not come at all. And thus, we shall repent of our sins; and thus we shall "put on God's armour," and thus we shall abide in His strength; and thus shall America grow strong in the Providence of God. Thus shall America grow beautiful; and thus shall America grow free again.

May God grant it. He'll do His part; we had better do ours. God bless you for hearing. God keep you safe.

#### SCOFIELD AND ALLIS CHALMERS: THE LABOR BOARD AND THE SUPREME COURT AS A JOINT COMMITTEE ON LEGISLATIVE RE- VISION

Mr. ERVIN. Mr. President, for the past year, the Subcommittee on Separation of Powers has been investigating the independent administrative agencies with a view to determining how faithfully they interpret and apply congressional intent as expressed in the statutes which Congress has delegated to them to administer. The subcommittee's first detailed study has been directed to the National Labor Relations Board and its administration of the Taft-Hartley Act.

The National Labor Relations Board is charged by Congress with implementing the policy of the Labor Act—and that means the whole policy, not solely those parts which the Board in its independent wisdom considers well advised, workable, and worthy of its blessings. The Taft-Hartley Act declares in section 7 that all employees shall have the protection of

the law in engaging in collective action and collective bargaining, and in refraining from collective action. The obligation placed by Congress on the Board with respect to the enforcement of section 7 means that it must protect the right of workers to refrain from collective action—even in the face of a contrary wish of the union—no less vigorously than it protects the rights of workers to engage in collective action free of employer interference.

Under the administrative agency system, the function of the courts is to review agency decisions applying the law, and to correct the agency when it strays from congressional will. Just as the National Labor Relations Board is not above the statute and congressional intent, so the courts, including the Supreme Court, must not substitute their own views of desirable labor policy for that of Congress. While many these days believe that the Supreme Court has a roving commission to rewrite the Constitution however it sees fit, thus far no one has suggested that the Court may disregard congressionally enacted law and substitute its own view in place of Congress' when it reviews an agency's administration of a statute.

These fundamental canons governing the administrative agency system and the role of the courts seem, from the subcommittee's investigations, to be honored more in the breach than in the observance, at least so far as labor law is concerned. Time after time the subcommittee has seen examples of the Board's aggressive enforcement of statutory language the agency agrees with, and the watering down or complete disregarding of portions with which it disagrees.

The Taft-Hartley Act is a complex system of law designed to bring the diverse interests of labor, management, the working man and the general public into harmony and balance. In writing the statute, Congress sought to find an accommodation of these many competing interests, and the compromises and adjustments that are expressed in the statute were reached only after much controversy and painstaking effort. The Board, however, is oblivious to this. It continually exhibits a tendency to favor one or more of these interests to the detriment of the others. The Board has failed in its duty to give expression to the balances which Congress sought to achieve.

Regrettably, the Supreme Court has itself failed to perform its function of insuring that the Board applies the whole of the statute and enforces all of the congressional intent. The Court, too, prefers to emphasize portions of the law it agrees with, and to leave other interests and congressional policies to decay for lack of protection. Even where the Supreme Court may disagree with the Board, too often the result is that Board distortion of the statute is replaced by Supreme Court distortion. The Supreme Court seems to be no less eager than the Board to create its own system of labor law, independent of Congress.

Nowhere can this be better seen than in the so-called union-fine cases. Even a passing familiarity with this newly devised doctrine shows that both the Supreme Court and the Board have lost or

forgotten a major interest that the Taft-Hartley Act seeks to protect and have destroyed what is on its face simple statutory language.

The major Supreme Court declaration in this field, and the least defensible, is the Allis-Chalmers case, which was decided in June 1967. In that case, the Court upheld the Board's position that unions can fine members who refuse to participate in union-called strikes, and who instead prefer to continue working. And just the other day, the Supreme Court decided the case of Scofield against National Labor Relations Board, which extends the evils of the Allis-Chalmers decision by holding that unions may fine workers for working hard and too efficiently at their jobs. This decision makes even more imperative the need for congressional action to restore the original meaning of the Taft-Hartley Act.

The Taft-Hartley Act prohibits restraint and coercion by either union or employer against any employee who exercises his section 7 rights. In plain words, the employee is protected against his employer when he engages in collective action, and against his union when he declines to do so. Nothing could be more fundamental than the conclusion that if a worker decides he does not wish to go on strike he may refrain from this union activity and be protected by the law from any union restraint or coercion because he continues to work. Similarly, if he wishes to increase his earnings, he may refrain from union-imposed work quotas, and be free of union retribution. The Board's function is to protect the worker in the exercise of this statutorily confirmed right. The Supreme Court's duty is to enforce Board decisions designed to protect a worker's free choice. Unfortunately, both the Board and the Supreme Court have failed to protect this right.

Unions have a right to make rules for the retention of membership. This is a right which is explicitly granted by the statute. But both the Board and the Supreme Court have inflated this limited provision which protects the union's right to manage its internal affairs into a power to deprive a man of his earnings and his livelihood. The Board and Supreme Court have ruled that union discipline in the form of fines may be imposed for violation of union rules plainly and admittedly designed to operate as coercion and restraint of section 7 rights. Thus, by that peculiar logic which seems to govern the Board and the Supreme Court in this area, it is deemed a matter of internal union business when a man exercises his right to work in the face of a strike, or when he chooses to work harder than the union would like and to collect his pay for his extra work.

The union's right to regulate its internal affairs must end when this right conflicts with a man's job rights. This is explicitly and repeatedly emphasized in the statute. Union rules which impose fines strikes at the very heart of a man's job—his right to be paid for working. When the Board and the Supreme Court affirms a union's power to deprive a man of pay for working they strike at the heart of section 7, they directly affect that worker's job right, and they

give the union leadership an all-powerful weapon over the livelihood of their members.

The rule which the Supreme Court created in the *Scofield* case and *Allis-Chalmers* case is an interesting illustration of the law-revision process which the Board and the Court engage in when they mangle statutory language. The rule in these cases, the Court now says, is that the statute "leaves a union free to enforce a properly adopted rule which reflects legitimate union interests, impairs no policy Congress has imbedded in the labor laws, and is reasonably enforced against union members who are free to leave the union and escape the rule." Of course, this new Court rule appears nowhere in the Taft-Hartley Act, nor anywhere else in the statutes-at-large.

This formulation is curious for a number of reasons. First, one may look in vain for any reference to employee free choice, or for any acknowledgment that individual workers have rights or interests different from that of the unions they belong to. Nowhere is mentioned made of section 7, the "magna carta" of employee rights, and its forceful statement about the right to refrain from what the Court has entitled "legitimate union interest." The new Supreme Court rule ignores the statutory prohibition or union "restraint and coercion" by defining it out of meaning. And it completely ignores reality and facts when it refers to a member's supposed freedom to "escape the rule" by leaving the union. The key to these cases is that fines are enforced by State court suits, not by expulsion from the union. Because of the Board and the Supreme Court, there is no escape from union tyranny and confiscatory fines.

The Court makes much of the requirement of "reasonable" fines, but no Board decisions or Court cases in which a fine was evaluated in terms of its reasonableness, much less ruled invalid on that ground. In fact, the Board and Court have explicitly left it to State courts to rule under State laws governing contracts when a fine is unreasonable. And as recently as last year, the Board's General Counsel refused to issue complaints in cases alleging the unreasonableness of fines. Fines ranging from \$10,000 to over \$20,000 have been imposed against employees seeking to exercise their "right to refrain from collective action" under section 7. The General Counsel refused to allow these individuals an opportunity to test their fines before the Board or the Supreme Court.

The union-fine cases decided by the Board and the Supreme Court illustrate all too clearly the fact that these bodies have been revising the law in the guise of enforcing it. They have championed the right of unions to enforce unrelenting discipline on members by permitting them to impose compensatory fines and enforce them by court suits as well as by expulsion from the union. In doing so they have raised the union's right to manage its internal affairs to the level of an overriding principle of the act, higher than section 7, higher than the prohibition against coercion and restraint by

unions, and higher than the policy that a man's union membership and his job rights are to be kept distinct.

The need for legislative correction of the joint Board-Supreme Court perversion of legislative intent and statutory language is apparent to every union member. So far, unfortunately, Congress has shown no great willingness to come to their defense, despite the shocking number of fines being imposed. Although many legislative alternatives have been proposed, there is a strange disinclination in Congress to come to grips with the critical distortions of the law which the Board and the Supreme Court have created.

Congress has an obligation to insure that both the courts and the independent administrative agencies operate within the confines of the legislative will. An important part of Congress responsibility is to be alert to what the agencies and the courts are doing with legislation. All too often, as the subcommittee's hearings on the Board have shown, this responsibility is not fulfilled. But the other part of Congress responsibility is to take the necessary action to redress a situation where it is clear that congressional intent has been disregarded. Nowhere is this need more evident than in the union-fine cases. Proposals to correct this state of affairs have been in Congress for years. It is high time they were considered by the appropriate committees. Legislation to remedy this crisis should be passed without further delay.

#### ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may be permitted to proceed for 10 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

#### THE ANTI-BALLISTIC-MISSILE SYSTEM

Mr. MANSFIELD. Mr. President, I wish to commend the distinguished Secretary of Defense, Mr. Laird, for not appearing before the Republican National Committee today to discuss the question of the ABM.

I wish to express my concern about reports I have read in the newspapers to the effect that the Democratic National Committee has indicated that the question of the ABM might become a partisan issue.

I also want to express my concern about Republican attempts to make it a partisan issue on the basis of pressures which I understand—but cannot prove—have been in operation during the past several days.

Furthermore, I also wish to express my

concern about any Democrat in this Chamber who attempts to make the ABM a partisan political issue.

I am also concerned with committees being set up either for or against the ABM and being allied with either party. I think they should go their own way, make their own case. The Senate will make up its own mind, either for or against.

I commend the President, if a report which I have heard is accurate on the statement, attributed to the White House, that he contemplates appearing before the Nation in defense of his proposal for a Safeguard missile system. That is within the area of his responsibility—make his case, so to speak. But the point I emphasize above all else is that this is not a Republican issue or a Democratic issue. It is a national issue which supersedes the interests of both parties. It is an issue which has two sides. There are meritorious arguments on both—let them be heard in the Senate.

In recent years many issues of foreign relations and military policy have come before the Senate. That these questions have been considered in an atmosphere free of partisan political consideration reflects great credit on Senators of both parties.

I have no hesitancy in this connection in acknowledging a debt to the distinguished minority leader (Mr. DIRKSEN) and to the entire Republican membership. During the Kennedy and the Johnson administrations, there was no inclination on their part to play politics with the Nation's security. Equally, there will be no inclination on the part of the majority leadership to play politics with these issues during the current administration.

That is not to say that there will not be differences. There are already differences even as there were differences during the past two administrations. The differences, however, will cut across party lines, now, even as they did then. That is to be expected when complex questions confront the Senate. That is as it should be when these questions are examined in the context of the variety of insights and attitudes which exist in the Senate.

The treatment of Vietnam during the last administration illustrates this point. The Senate will recall that policies of the Kennedy and Johnson administrations on Vietnam were disputed, in the first instance, by Democratic Senators, by members of the Democratic majority. My own views of disagreement with these policies are well known because they were expressed publicly and, in private, to both President Kennedy and President Johnson. Clearly, there was no element of politics involved in Democratic Senators assuming positions of opposition to a Democratic administration.

Distinguished Republican Senators, however, also formed a most articulate and perceptive segment of the opposition to the spread of the Vietnamese violence during the previous administration. To be sure, the opposition of these Republican Senators was directed at a Democratic administration. They acted, however, not out of partisanship but on



the basis of their high constitutional responsibilities. In my judgment, those Republican Senators deserve not partisan labels but national thanks for their contribution to preventing the compounding of the tragic conflict in Vietnam.

In the same fashion, the critical examination of the ABM issue has also transcended party lines. The opposition to this immensely costly and questionable military undertaking did not begin on January 20 with a Republican administration. Rather, the opposition had already reached significant expression—perhaps over 40 percent of the Senate—in the last session of the Congress.

There were Democratic Senators, then, who voted their convictions that the Department of Defense was moving into dubious grounds with the ABM proposal. There were Democrats, then, who felt and so stated—the distinguished Senator from Missouri (Mr. SYMINGTON), for example—that we would risk enormous tax funds for what, at the very best, would prove an unnecessary piling up of useless military hardware.

In this instance, too, as in the case of Vietnam, voices of opposition were raised on the Republican side of the aisle. Indeed, the initiative which served to marshal the opposition to the ABM came largely from the perceptive and articulate arguments of the Senator from Kentucky (Mr. COOPER).

Why did this distinguished Republican speak out? Did he speak as a Republican to embarrass a Democratic administration? Or did he speak as a Senator of conscience and conviction? Did the Senator from Kentucky speak as a partisan politician or as a former diplomat with an immense knowledge of world affairs? And did the distinguished Senator from Maine (Mrs. SMITH), the ranking member of the minority of the Armed Services Committee, in opposing this project last year, speak as a partisan politician? Or did she speak as one of the Senate's ablest experts in military matters, with a far longer experience in the problems of nuclear weaponry than most of the Defense Department officials who were urging the ABM?

I need not labor the point. I make the point only to underscore the total absence of partisanship, heretofore, in the consideration of the issue of the ABM. I make it only because of disturbing reports of outside efforts to synthesize a political partisanship where, in fact, none has existed and where none should exist.

We were, none of us, born yesterday. We are, none of us, strangers to the more devious byways of the world of politics. But the attempt to bring political considerations into this issue by the backdoor of the Senate is not trivial and it is most inexcusable.

What is at stake, here, is not the political popularity of this administration any more than its predecessor. What is at stake here, in the end, are billions of dollars of funds—expenditures which have been proposed by the Defense Department under consecutive administrations. These are public funds which we can ill afford to waste on superfluous impractical or irrelevant defenses at a time when inflation and taxes and urgent civil

demands are pressing heavily upon the people of the United States.

What is sounding in the ABM question is not the clarion call to politics in 1970 or 1972. It is, rather, the call to face clearly in the Senate the issues of peace and war—to consider deeply what may contribute to the strengthening of peace and what may intensify the prospect of war.

That is what confronts us. I do not know how the Senate will decide this issue. I am confident, however, that Senators of both parties will dismiss from the consideration of the issue this patent attempt to intrude an extraneous politics into the constitutional responsibility which devolves upon each Senator regardless of his views.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield, if I have time remaining.

Mr. COOPER. Mr. President, I ask unanimous consent that I may proceed for 5 minutes.

The VICE PRESIDENT. Without objection, the Senator from Kentucky is recognized for 5 minutes.

Mr. COOPER. Mr. President, I thank Senator MANSFIELD for his very generous remarks. But I must say that the effort in the Senate to bring before the Congress and the country the merits of the proposed ABM system has been led and shared by many on both sides of the aisle, and certainly the leadership and moral force of the majority leader has been in my view a most important factor.

I share his viewpoint that the ABM issue should be removed from the arena of partisan politics, as far as it is possible. I say—as far as possible—because of public interest in issues and in political personalities make it impossible that a debate such as this will be carried on wholly apart from political consideration. And beyond the partisan politics, the Executive, as well as Members of the Congress who oppose and support this system, has the right and the duty to the country to call for support.

But I would caution the national committees and political organizations, whether of the Republican or Democratic Party, not to appeal for support or opposition to the system because of party or support of individuals. As Members of the Congress deeply concerned about this issue which affects our country seek to make their decision, partisan efforts do not help and in my judgment will backfire.

This debate involves the question of national security, which no responsible person of either party would want to compromise. Beyond the question of whether deployment against some sudden or immediate danger which in my view has not been satisfied, is the larger issue of determining the elements of security in a world of nuclear weapons, and the question of deployment concerns its effect on negotiations with the Soviet Union on control of nuclear weapons, for which the President is striving. The question of whether such arrangements are possible is always a doubtful one, but the very nature of our system of government demands always that we make the effort. A sensible ground upon

which we can expect an opportunity to reach such an accord is that our interests in this case are mutual. The Soviets are unpredictable, but like the United States, we cannot consider that they want to be destroyed.

We must consider the effect of the continued escalation of defensive and offensive nuclear weapons. Will their continued development cause the balance of terror to become an imbalance of terror with increased danger that one nation may try a preemptive strike? This condition would create a sense of fear, and certainly a sense of futility, particularly among the young people of our country who would like to live their lives in a peaceful world, at least relatively peaceful, and one not overhung by the threat of a nuclear race and a nuclear war. I do not suppose that any of us, young or old, want a nuclear weapons system hanging over us—and to live in mind if not in fact, like our ancient ancestors in caves. It may be there is no other way, but I am constrained to believe that reason can prevail.

When Senator HART of Michigan, and I introduced an amendment last year to postpone the deployment of the ABM system, joined by Members of the Senate, both Republicans and Democrats, we did so that the Senate, the Congress, and the country would have the chance to fully examine its merits and the necessity of its deployment. Throughout last year as Senator HART and I persisted in the submission of amendments, joined always by a bipartisan group and as others introduced amendments—Senator YOUNG of Ohio, Senator NELSON of Wisconsin, Senator CLARK of Pennsylvania—continuing debate had the effect we had desired—submission of the issue on its merits to the country.

The debate has brought forward many versions of the purpose of the system—whether against a Chinese or Soviet threat, whether to protect our missile sites, whether for a mixed population and missile site protection, or whether to strengthen the hand of our country in negotiations with the Soviet Union. Each of these purposes has been questioned at times both by proponents and opponents.

But the debate has been upon the merits and not upon partisan grounds. The elected leadership of both the majority and the minority and other Members of the Senate have taken their positions on the merits and some are opponents and some are proponents of the system.

I hope this is the way it will continue and that the decision in the Congress will be made upon the merits. I continue to hope that the President will establish a committee such as Dr. Killian recommended, which working with the executive branch will provide the best judgment of the best informed minds of our country upon the issue, and that a judgment will result which would have the support of the great majority, perhaps an overwhelming majority, of our people.

#### ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The bill clerk proceeded to call the roll. Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. EAGLETON in the chair). Without objection, it is so ordered.

#### MISSILE DEPLOYMENT

Mr. MANSFIELD. Mr. President, as long as no Senator seems to be seeking recognition at this time, I should like to read a statement which I made on Saturday, so that it will be a part of the record of my position on the ABM:

##### A HOLD-FAST ON MISSILE DEPLOYMENT

After several years of relative stability, the Soviet Union and the United States are on the verge of major additional deployments of nuclear missiles. The pressure to proceed with the installation of these new systems is on in this nation and the indications are that it is on in the Soviet Union. It is on despite the fact that each nation can ill-afford the enormous expenditures of these deployments in the light of other national needs. It is on even though, for years, both nations have urged arms limitations as the better way to national security than the continuance of this appalling missile merry-go-round.

It should be noted, therefore, that during the last months of the Johnson Administration and the first months of the present Administration the Soviet Union apparently made three overtures which suggested a willingness to sit down and discuss a limitation on armaments of various types. In a similar vein, President Nixon has stated that he wants to replace the era of "confrontation" with the era of "negotiations." He has made clear that he would prefer the "open-hand" to the "closed fist" in the relationship of the United States and the Soviet Union.

Based on Secretary Rogers' press conference of April 7, I assume that Soviet probings for talks on armaments have received full consideration in the Executive Branch.

I quote from that press conference, at which time Secretary of State Rogers was asked whether there was anything standing in the way of the strategic arms limitation talks. He gave this answer: "No, there is nothing that stands in the way and they can go forward very soon. We are in the process of preparing for them now and we expect they will begin in the late spring or early summer."

It would be my hope that the President, on that basis and on the basis of the preparations which he has made since taking office, would now be ready to set a date certain to open U.S.-Soviet discussions.

I am not suggesting that armaments negotiations should be "linked" with a consideration of political differences and the host of other issues which have separated the United States and the Soviet Union for many years. Panoramic negotiations of that kind may or may not be fruitful at some point in the future. In my view, however, first things should come first.

The first thing, in my judgment, is not to be found in the political issues of many years standing. Nor is the first thing to be found in arms reduction in a general sense which has been under discussion for two decades. Rather, the most urgent need is to curb the rising pressure in both countries for another major intensification of the deadly nuclear weapons confrontation.

The time to respond to Soviet overtures for talks or to take the initiative ourselves should be before not after the deployment of new nuclear weapons systems, for which the gears are now turning, has gained irreversible momentum in both countries. What is needed before all else are U.S.-Soviet

negotiations which, confined to one question, may act to halt these gears promptly. What is needed, now, in my judgment, is the negotiation of an agreement to hold-fast on the further deployment of nuclear weapons in the Soviet Union and the United States.

If agreement on that single point can be achieved there would be created a climate of calm, as in the case of the aftermath of the Test Ban Treaty, which might help to bring about solutions of mutual interest to the more complex problems of arms-reduction as well as the resolution of political differences. At the least, the immediate result of an agreement to hold-fast on further nuclear deployments would be an immense savings of resources which would otherwise be diverted into new weapons systems in both countries over the next few years. Any initiative by the President in this connection, in my judgment, would be gratefully received, not only by the peoples concerned but by the peoples of the world.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, it is the intent of the leadership to call up tomorrow Senate Resolution 167, a resolution authorizing a speech reinforcement system for the U.S. Senate Chamber.

#### HUMAN RIGHTS CONVENTION— RESOLUTION BY CULVER CITY YOUNG DEMOCRATS

Mr. PROXMIER. Mr. President, there are many times when we become impatient with some of the actions of the so-called younger generation. People point to the misdeeds of some younger people and tend to scorn the good deeds of the entire generation. Unfortunately, we are not always aware of the truly constructive actions of the younger generation.

Recently I received a resolution by the Culver City Young Democrats supporting the Human Rights Conventions—on genocide, forced labor, and the political rights of women.

This is a constructive action. An unselfish one, and one which deserves our applause. I hope that it will help to bring about Senate ratification of these conventions. I ask unanimous consent to have this resolution printed in the RECORD, in the hope that it will spur the Senate to action, and remind us all of our common humanity, young or old.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

#### A RESOLUTION MEMORIALIZING THE SENATE OF THE UNITED STATES TO RATIFY THE UNITED NATIONS CONVENTIONS ON GENOCIDE, FORCED LABOR AND THE POLITICAL RIGHTS OF WOMEN

Whereas, the United Nations conventions relating to Genocide, Forced Labor, and the Political Rights of women here-in-after referred collectively as the Human Rights Conventions are in accord with the principles embodied in the Constitution; and

Whereas, ratification of the Human Rights Conventions would not commit the United States to any action that is contrary to the laws of the United States or any states or territory thereof; and

Whereas, the Human Rights Conventions assert principles essential to the operation of democratic societies; and

Whereas, the Human Rights Conventions concern the essential precepts of civilization; therefore, be it

*Resolved by the Culver City Young Democrats, That, The United States Senate be memorialized to ratify the United Nations Conventions relating to Genocide, Forced Labor, and the Political Rights of Women with expedition consistent with thoughtful consideration; be it further*

*Resolved, That pursuant to Article III, Section 4, Clause 1 of the Club Constitution, the Chairman shall forward copies of this resolution to the appropriate agencies and individuals.*

Approved: March 26, 1969.

SHELLY SHAFRON,

Chairman.

HOWARD S. WELINSKY,  
Parliamentarian.

#### FOREIGN TRADE POLICY

Mr. LONG. Mr. President, over recent months there has been some controversy over where—in what office or department of Government—responsibility for execution of our foreign trade policies should be vested.

The Congress itself under article 1, section 8, of the Constitution, is responsible for setting basic foreign trade policy. Since 1934, however, the Congress has delegated the execution of that policy to the executive branch. During most of this period, the State Department enjoyed a virtual monopoly over the execution of that policy. However, in 1962, when Congress was framing the Trade Expansion Act it incorporated a section—241—which established the Office of Special Trade Representative and made it responsible for negotiating the Kennedy round and any other negotiations as determined by the President. The special trade representative reported directly to the President, and in this way it was felt that he would remain independent from the foreign policy orientation of the State Department. In short, we wanted a man who would defend American commercial interests and not sacrifice those interests for the sake of vague political objectives and grand designs, which from time to time emanate from the Department of State.

The question now is whether that office should continue to exist within the White House or whether the many responsibilities of executing the trade policy and legislation enacted by the Congress should be vested in another department, such as the Commerce Department. That decision, of course, will have to be made by the President him-



self, but with the advice and consent of the Senate.

According to recent press reports, the President has decided to keep the office of special trade representative within the White House, and will nominate a new special trade representative in the near future, subject to the confirmation by the Senate.

Since the Committee on Finance has a major responsibility for the formulation of foreign trade policy legislation within the Senate, and since there have been some misgivings on the part of many members of the committee with regard to certain agreements concluded by the previous special trade representative, I think it is altogether proper and fitting for me to say a few words today about the controversy as to where execution of trade policy should reside within the executive family.

Before getting into that concrete issue, however, I would like to state a few basic principles with which I think most Members of this body agree.

First, while trade policy is necessarily a part of overall foreign policy in that it involves dealings and negotiations with foreign governments, the basic goal of foreign trade policy—reciprocity—should not be sacrificed for other policy objectives. Commercial policy should never be subservient to the grand designs of our foreign policy advisers, otherwise we will be continually sacrificing commercial interests—and reciprocity—for vague political goals and ambitions—even the ambition of a person to be promoted to a political job. We all remember that the Trade Expansion Act was billed as a bridge toward a strong Atlantic alliance. We also know that the State Department recommended and the Congress accepted a provision of that act—section 211—which was aimed at encouraging the entrance of Great Britain into the Common Market. Although that intent was plain, it had the opposite effect, because within 3 months of the signing of the Trade Expansion Act, General de Gaulle vetoed the entry of Great Britain into the Common Market, and it was no coincidence that this happened. The point is that political objectives, such as the unity of Europe which are worthwhile in themselves cannot be bought by a tariff negotiation, and must never be bought at the cost of American jobs, farmers' incomes, or our critical balance of payments. In short, we can no longer play the role of "Uncle Sugar" or "Sad Sam," sacrificing economic considerations for vague political objectives.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG. Mr. President, I ask unanimous consent that I may be permitted to continue for an additional 4 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG. Second, the executive branch should realize that as a constitutional matter "the regulation of commerce with foreign nations," and "the imposition of import duties" are responsibilities vested in the Congress—not the executive. We have no intention of abdication those responsibilities. From time to time, however, we may delegate au-

thority for the executive branch to enter into trade agreements with foreign nations covering reciprocal tariff reductions, nontariff barriers or other matters. But the executive branch should realize—and there have been some shortsighted mistakes, concerning this in the past—that they cannot, and should not attempt to exceed the authority expressly delegated to them and expect Congress to sit supinely by accepting this de facto abdication of its responsibilities.

As a matter of fact, we embarrassed the previous President. President Johnson was embarrassed by a Democratic Congress which passed a bill and forced him to sign it and concede that he did not have the authority to do what he had been doing and what he was supporting.

Now, while the President must decide where the major responsibilities for carrying out day-to-day commercial policy with foreign governments should reside, Congress has a constitutional mandate to help him make that decision. Pursuant to this, I suggest here today that the Commerce Department has certain advantages which make it the best choice for handling that responsibility.

First, the Commerce Department trains commercial attachés who serve at most of our Embassies abroad who can expeditiously carry out directives with their counterparts in foreign countries. They also can gather a great deal of material with regard to the kinds of barriers which American exporters must cope with in doing business with these countries.

Second, the Department itself has a large staff of experts on foreign trade matters; it also has commodity experts and desk officers who follow trade developments in foreign countries on a day-to-day basis. That the Commerce Department has been responsible for the export expansion program for the past 7 years, it is an indication that their staff is well acquainted with foreign trade matters. In other words, it is fully equipped to handle the job of carrying out the foreign trade policy directed by the Congress. And where Congress has executed this responsibility, it has not incurred the kind of rare enmity or downright hatred for the executive branch which has from time to time been generated by the State Department arrogating unto itself the power to do things that Congress never intended.

The special trade representatives on the other hand have demonstrated in the past that the interest of the foreigner is probably a more important consideration in being "successful" in a trade negotiation than are the interests of U.S. firms and workers suffering from unfair trade practices of ruthless foreign producers who, for the most part, are immune from criminal prosecution under unfair trade laws in the United States. Thus, the Committee on Finance—and indeed the entire Congress—has disagreed, and indeed has overruled some of the agreements which were negotiated during the Kennedy round by the special trade representative and his staff. I refer specifically to the International Anti-dumping Code. The negotiations of that Code was a disservice to the American people and negotiated, as it was, without

statutory authority, it was an affront to the Congress of the United States. Before it was negotiated, Congress, or at least the Senate, said, "If you dare to do this, we will throw it out."

There is nothing in the responsibilities of the Commerce Department which would bias it in seeking fair solutions to difficult trade problems. Nobody knows better than the Secretary of Commerce that it takes exports to finance imports. And better than anyone else he should be able to get the story to the foreign supplying countries that we cannot buy their products unless we can export our own. Better than anyone else he can convince them that fairness over there will be repaid by fairness over here, but that foreign discriminations against our trade is going to have to beget a reaction here which the foreigner may find financially distasteful.

Furthermore, the Secretary of Commerce is not going to have the same incentive, when American investments are being expropriated, to forgive and forget and make loans and gifts to foreign countries that are stealing the money of our people and destroying our people in order that we might get some favorable vote from the United Nations Security Council. That, in my view, is worth zero.

I have seen American rights given away in the belief of the State Department that it was important to do so.

That type of thing cannot be done by the Secretary of Commerce because he has no interest in that to begin with. The same thing cannot be said of the Secretary of State.

Mr. President, to illustrate that point, I recall when I was asked to be an adviser at the negotiations on the law of the seas at Geneva. The people representing the American fishing interests were present.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG. Mr. President, I ask unanimous consent that I may be permitted to continue for an additional 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG. Mr. President, these parties who represent the American fishing interests said that the negotiations on the law of the seas could not do anything but fail.

I asked why that would be. The representative said:

Because the American State Department has given away so many of our fish trying to get some agreement on the limitation of the territorial waters with various other countries that they have now given away more than 100 percent of the fish. And when the foreign countries discover that we have given away more than 100 percent of the fish, there will be controversy. They gave away all of our fish. Then they gave all of the fish away a second time. And when the Arabs and various other people find out that our fish have been given away twice, they will try to decide on who is to get the American fish. They will then fall out over that and the conference will be a failure.

And so it was. How would the Senator from Wisconsin like to be an American fisherman and have the State Department give all of the fish away, not once, but twice?

It would be ridiculous to say that

Maurice Stans, a highly regarded Secretary of Commerce is a protectionist because the Commerce Department is charged with concern for domestic jobs and employment opportunities for the disadvantaged. Under that line of reasoning, the Council of Economic Advisers would all be protectionists, and we know that that is not the case.

The Council of Economic Advisers is as capable as anybody else of agreeing with what any businessman says is true: that no deal is a good deal unless it is a good deal for both partners. Over a period of time, when you are trading with someone, if you are gaining and he is losing, eventually he is going to quit trading with you, because he cannot afford to trade with someone who is cheating him or when he is not making a profit. So it should be a good deal both ways, and everybody should be in favor of that kind of deal and trade. No one should be in favor of the other kind. We do not want to exploit the other person, and we do not want to be exploited.

In conclusion, it seems to me that the Commerce Department is the logical place where responsibility for executing our trade policy should be vested. No one wants to see our foreign trade policy become subservient to vague political objectives, and no one wants to see American jobs and American plants sacrificed in the interest of being a "nice guy" to the foreigner in trade negotiations, or for the purpose of taking a so-called vague international point of view which cannot be defined.

I am convinced that Congress will agree on the general proposition that foreign trade policy should be more consistent with our domestic goals of full employment and price stability than it has been in recent years. I am equally convinced that the Secretary of Commerce is the best man to correlate these policies and make them buttress each other rather than conflict with each other.

By my lights, Secretary Stans is a very liberal man when it comes to foreign trade. He believes in expanding it drastically. In my judgment, he is unrealistic when he speaks of the fantastic goals of foreign expansion that he has in mind. It would seem to me that to achieve such an objective, the other trading partner would have to agree to it, and I do not think anyone is going to be interested in taking as much exports as he would advocate from the United States unless they are going to ship us as much as they have in mind.

While I find myself in difference with some of Mr. Stans' views, and always have, I would insist to the end that he is the logical person to handle this office, especially that of trade representative. If at long last we are going to start having any trade relations and think of what is good for American workers, American industry, and American investments, as well as what is good for foreign policy objectives, to try to correlate these two desirable objectives, then it occurs to me that the time has come when the responsibilities and duties of the Commerce Department should be recognized in this field.

#### OIL INDUSTRY CONTRADICTION

Mr. PROXMIRE. Mr. President, the contradiction of major oil companies pleading for less Government intervention in the free market, while relying on the Government to fix prices for them, was aptly pointed out in an editorial in today's U.S. Oil Week—an industry publication.

I ask unanimous consent that it be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. PROXMIRE. Mr. President, Senator HART has done a magnificent job in the Antitrust and Monopoly Subcommittee in exposing how the big oil companies use the Federal Government to fix prices. For the first time academic economists have had a chance to comment on the system of Government controls which enables the major oil companies to guarantee profits for themselves while, at the same time, hiding their gigantic profits from taxation.

Reform of this system is long overdue. It is injurious to our economy, taking money from the majority of Americans, who consume oil, to help the immensely profitable corporations, while encouraging inflation.

Although it is clear that the administration is going to do very little about the big oil companies' inflationary behavior, I was delighted to hear on the Today Show, my distinguished colleague, the chairman of the Joint Economic Committee, Representative WRIGHT PATMAN, of Texas, call for reexamination of the whole system of Government regulations, controls, and privileges which so benefit the big oil companies and insulate them from the competitive enterprise system. I join with him wholeheartedly.

Mr. President, I should like to read this editorial, because, as I have said, it comes from an oil industry publication. It is the editorial in today's issue of "U.S. Oil Week":

The next time you hear a major oil company employee wax philosophically on about the horrors of government controls on business, smile.

We've got to guard against the growing threat of government regulation in our business.

That's the refrain frequently heard from major oil company employees.

Utter humbug.

Without government controls, big refiners would have to go out and hustle for a living.

"Under the antitrust laws," professor Walter Adams told a Senate Subcommittee recently, "its a per se offense for private firms to fix prices or allocate markets."

"Yet in the name of conservation the government does for the oil companies what they could not legally do for themselves," he noted.

Incidentally, it's a criminal violation to fix prices, and some electric industry executives have been jailed for it.

Sen. Philip Hart's probe of government intervention in gasoline and oil markets shows a different view of producer thinking than the usual conservative image shown in company magazines.

For oil refiners have destroyed the time-honored view that supply and demand tend to balance each other.

At the state level major companies have won government control over oil production.

When jacked up prices were threatened by oil produced under competitive conditions abroad, a federal imports wall was erected with only a dribble allowed in.

Mr. LONG. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. LONG. The Senator has made a number of statements. I have been waiting to hear his support of those statements.

Mr. PROXMIRE. May I say to the Senator that I am reading from the U.S. Oil Week editorial, published today. I am reading an editorial which is based on the findings of a publication which represents the oil industry.

Mr. LONG. I thought the Senator just starting reading about three paragraphs ago. Has the Senator been reading all the time, or has he just started reading?

Mr. PROXMIRE. I started reading about 35 seconds ago, when I said, "The next time you hear a major oil company employee wax philosophically on about the horrors of Government controls on business, smile."

That is what the oil industry says.

Mr. LONG. If I correctly understand what the Senator is now saying, it is that oil imports are just a dribble. Is that what the Senator said?

Mr. PROXMIRE. The Senator is still reading from an editorial of an oil industry publication which says that the oil imports are a dribble. They amount to 12.1 percent.

Mr. LONG. Is that what the Senator thinks?

Mr. PROXMIRE. Will the distinguished Senator from Louisiana indicate how big oil imports are, if they are not limited to 12.1 percent?

Mr. LONG. Does the Senator think that that is what oil imports are—

Mr. PROXMIRE. Of course they are.

Mr. LONG. That is what the Senator thinks?

Mr. PROXMIRE. It is not what I think. It is what they are.

Mr. LONG. In terms of total requirements of oil and natural gas in this country, would the Senator like to know what it actually is?

Mr. PROXMIRE. What figure would the Senator from Louisiana like to offer?

Mr. LONG. Twenty-five percent.

Mr. PROXMIRE. The Senator from Louisiana's figures are wrong.

Mr. LONG. Somebody has to be wrong.

Mr. PROXMIRE. The Senator from Louisiana is wrong.

Mr. LONG. May I tell the Senator where he is wrong?

Mr. PROXMIRE. I yield to the Senator from Louisiana.

The PRESIDING OFFICER. The time of the Senator from Wisconsin has expired.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may be permitted to proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG. The Senator from Wisconsin is only talking about zones 1 through 4. Did he know that?

Mr. PROXMIRE. I am talking about the oil imports that are allowed into this



country under the Oil Import Administration's program.

Mr. LONG. When the Senator from Wisconsin made the statement that all of the oil that comes into this country is 12.5—

Mr. PROXMIRE. I said 12.1.

Mr. LONG. I thought it was 12.2. I am not going to argue about one-tenth of 1 percent.

When the Senator from Wisconsin made that statement, all he was talking about was zones 1 through 4. Did he know that?

Mr. PROXMIRE. I made the statement as to what the oil—

Mr. LONG. Let me tell the Senator what the program is.

Mr. PROXMIRE. Go right ahead.

Mr. LONG. In zones 1 through 4, foreign crude imports are permitted to be 12.2 percent—I thought it was 12.2 percent—of the domestic consumption of crude oil in zones 1 through 4. Does the Senator know what zones 1 through 4 are?

Mr. PROXMIRE. Yes.

Mr. LONG. What are they?

Mr. PROXMIRE. These are the areas of the country on which the oil import program is organized.

Mr. LONG. What is zone 5? Where is zone 5?

Mr. PROXMIRE. I cannot tell the Senator where zone 5 is.

Mr. LONG. Zone 5 is California, Oregon, Washington, and I believe Nevada and Arizona. It certainly includes most of those Western States, and I assume it would include Alaska and Hawaii.

Zones 1 through 4, generally speaking, start at the Rocky Mountains and come to the Atlantic Ocean.

So the Senator is only talking about zones 1 through 4 when he uses the 12.2 percent figure. Furthermore, has the Senator heard of residual crude oil?

Mr. PROXMIRE. Yes.

Mr. LONG. That is under an entirely different program, but we produce very little residual oil; we had to use higher gravity oil. We do not find it advantageous in this country to produce much residual crude. However, it is a very cheap fuel, and a huge amount of it is used on the eastern seaboard.

As far as bringing in residual crude, either a coal miner has to lose a job or an oil producer has to produce less, or a gas producer has to produce less, or somebody has to produce less hydroelectric power, in order to consume the imports of residual fuel oil.

Therefore, if one looks at fuel requirements he must also look at residual fuel oil to see how much of our market they are taking, and it also affects our balance of payments.

The Senator should also look at zone 5. In zone 5, the percentage is a lot more than 12.2 percent. That is a heavy import area, even though Alaska is coming on strong.

All factors considered, foreign oil exporters to the United States now have 25 percent of the market for oil and liquefied gas products in the United States.

Can the Senator tell me of another instance where an American producer which traditionally produced our re-

quirements and had to accept a situation where foreigners have 25 percent of the market while he sat there?

Mr. PROXMIRE. First, I do not accept the Senator's argument.

Mr. LONG. I heard the Senator's speech.

Mr. PROXMIRE. I just argued the zones covered called for 12.1 percent.

Mr. LONG. I thought the Senator said something about 12.2 percent.

Mr. PROXMIRE. The Senator did not give the basis for his statement that 25 percent are oil imports.

Mr. LONG. I made a speech which lasted for at least an hour and a half on this subject. Did the Senator read that speech?

Mr. PROXMIRE. I heard part of it.

Mr. LONG. I appreciate that. The figures in that speech are not my calculations but calculations of the staff of the Committee on Finance which has the responsibility of handling the complete program. It is the calculation they came up with. They came up with that figure after consulting with the best consultants in and out of Government. It is about 25 percent of the market.

The Senator comes from a State which is interested in iron and steel. Is that correct?

Mr. PROXMIRE. We process it; we do not mine it.

Mr. LONG. The Senator's State is interested in automobiles.

Mr. PROXMIRE. We process iron and steel. We are not a major producer of oil.

Mr. LONG. But the Senator's State does handle a lot of iron and steel, and he has done some fine work for workers in helping American Motors keep some of them employed. I applaud the Senator for the large payroll in his State. Certainly the Senator is interested in the United Automobile Workers, and the fact that they can work at high wages, and that they are able to do the fine job that they do. Is that not correct?

Mr. PROXMIRE. Yes.

Mr. LONG. If the Senator will look at steel imports, does the Senator know what percentage of the market steel imports now take?

Mr. PROXMIRE. I do not know the exact figure, but it is between 10 and 15 percent.

Mr. LONG. The Senator is correct, if he splits the difference. It is about 12.5 percent; that would be about right the last time I looked at it, but that does not include the steel in the automobile imports.

Is the Senator familiar with the great increase in foreign automobiles in this country?

Mr. PROXMIRE. I am concerned about all of these things, but they do not have anything like the protection—

Mr. LONG. Will the Senator—

Mr. PROXMIRE. If the Senator would permit me to finish, I believe I have the floor.

In the first place, the Government limits the domestic production; and, in the second place, the Government strictly limits foreign imports on the basis of a quota system. When oil officials

say they have to stop Government control and that it is an evil thing, this is very contradictory.

Mr. LONG. If the Senator would permit me to interrupt, I wish to ask a question. The Senator is failing to understand what I am getting at. I want to get at it and then hear his reaction.

One must add on to the steel imports coming into this country the steel that is in the automobiles being imported in this country. What is an automobile? Most of it is steel.

Mr. PROXMIRE. As the Senator knows, the automobile industry does not receive the kind of limitation on domestic production or the kind of limitation on foreign imports which the oil industry enjoys.

As a matter of fact, American Motors has done a marvelous job selling its product abroad. Eighteen percent of all of this country's cars sold abroad are American Motors cars from Wisconsin.

Mr. LONG. If the Senator will add the steel in foreign made automobiles coming into this country, and the other steel that is being imported in other forms and shapes, such as bars and pipe, then one has to conclude, when one looks at the steel in those automobiles and other shapes coming in, that steel imports have now taken 25 percent of our market for steel.

Mr. PROXMIRE. No, I cannot agree with that figure.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. I question that figure. In the first place, it is true that we import a number of automobiles. I doubt very much that it is anything like 25 percent of the market. I am sure it is less than that. When one computes the amount of steel in those automobiles, it is small because most of those cars are small. I think the figures of the Senator are subject to some question.

Mr. LONG. I did not say that 25 percent of our automobiles are foreign made. I said if one were to add the steel in the automobiles that foreigners are shipping to us, to the steel they are sending in in other forms, the foreign producer would appear to have 25 percent of the American market for steel. They may have only about 10 to 15 percent of our market for automobiles, and I could be a little off on that figure. I know what the steel figure is.

If the automobile makers are not concerned about it, the steel manufacturers will be concerned about it if the present trend continues.

I say the automobile workers will become concerned to the point they will have to do something about it one day, and so will the steel workers. I say that because it is fine for the Ford Motor Co. to build a big plant in England and it is fine for some other American motor companies to build big plants in Germany and Italy and send automobiles here, but the time is going to come when American labor is going to wake up to the fact that they are being traded out

of good jobs. One day the Senator is going to become as concerned as I am if we have to decide which company to keep in business, and what work we want our people to do. One day the Senator is going to be as concerned as I am about trading away a \$5 job or a \$7 job for a \$1 job.

Mr. PROXMIRE. Of course, I am concerned with the loss of any jobs by American workers, whether they are in Wisconsin or Louisiana. Certainly in my State, and in many other States throughout the country there are as many jobs, and perhaps more, based on exports, as there are on imports.

As the Senator knows, up until a few months ago we had a strongly favorable balance of payments. This means we sell more abroad than we buy abroad. We cannot possibly sell more abroad than we buy abroad unless we have more jobs depending on exports than on imports.

In Wisconsin we have benefited by a free trade policy because much of what we produce we sell abroad. In a few States there may be exceptions, but by and large we have benefited and the consumer has benefited. The price is held down. If we import more the consumer is paying less for gas and fuel so imports help combat inflation.

Mr. LONG. There would be a lot less to pay with because the worker would lose his \$7 job and get a \$1.50 job. He would be losing a job which paid more.

Mr. PROXMIRE. He could lose his job in the automobile plant. We do not have high tariffs or quotas on autos.

Mr. LONG. We have tariffs.

Mr. PROXMIRE. We do not have flat limits like the quota limitation on oil. If we dispense with all our trade restrictions on automobiles, I am convinced that we would be able to compete. The people in the industry say they are not concerned about competition from abroad.

Mr. LONG. Does the Senator know why?

Mr. PROXMIRE. No. Why?

Mr. LONG. Because the American automobile companies have their plants in Canada, Europe, and elsewhere. I hope the Senator voted for that Canadian auto parts agreement bill. I helped to put it through. They have their plants in American companies in Canada, Britain, in France, in Germany, Italy, Latin America and elsewhere. Therefore, so far as they are concerned, they are not too greatly worried whether the autos are fabricated over there or over here.

Someday, the American worker will wake up to find that General Motors has decided it can make more money by making automobiles over there than over here; or they might make more money assembling them and selling them here.

The PRESIDING OFFICER. The time of the Senator from Wisconsin has expired.

Mr. PROXMIRE. Mr. President, I ask unanimous consent to proceed for 4 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG. When that American worker finds out that he lost his \$5 job, and he can now get only \$1.50 for it, the fact that he buys something for 10 percent

less is not going to make him very happy, because his income has been cut by 75 percent.

When we put those factors together, the consumer may be able to buy for 10 percent less but instead of his \$5 job, he may be making \$1.25. So that, on balance, you have "had it," Senator. You would really have had the worst of it. When we make that kind of trade we are letting other people get taken for a ride.

In the steel industry the wages are \$7 an hour. They are concerned. When a boy in a steel mill loses his job and has to go to Wisconsin to milk cows, he will not get as much money as he would by working in the steel mill. He is not going to be happy about the fact that he can buy something cheaper, when he looks at the fact that, on the one hand, what he will have gained as a consumer will be lost because his salary will be cut by more than 50 percent.

So that the fact he can buy more with the pitiful amount he has left, on a dollar-for-dollar basis, is not going to make him very happy.

All I am trying to say, Senator, is that when we look at this foreign trade program, we have to look at all the factors not just whether we can buy something cheaper.

One other thing the Senator has not mentioned in his speech—I hope that he will get around to it after a while—is that we cannot be sure that we can buy this foreign oil for \$1.75 and base impressive figures on that assumption if we are not capable of producing our own requirements. That is what one can buy Arab oil for, when one is in the position of producing every barrel he needs in America. But the Arabs are better traders than to sell us that oil at that price, if we cannot produce our necessary requirement. It is one thing for us to be in the position to buy on a buyer's market and quite another when we are forced to buy it on the seller's own terms. We will find that the seller will get everything he can, and that will be a lot more if we are at his mercy either in whole or in part.

Does the Senator know what OPEC is? Does the Senator know what that is?

Mr. PROXMIRE. Would the Senator from Louisiana like to say what it is?

Mr. LONG. First, I would like to know if the Senator knows. What is OPEC? Does the Senator know?

Mr. PROXMIRE. Offhand, no, I do not.

Mr. LONG. Well—

Mr. PROXMIRE. What is OPEC? I would be delighted to find out a little later, but the Senator from Kansas (Mr. DOLE) has time reserved to him, to begin speaking at 1:30. I rose merely to make an insertion in the RECORD, which I thought would take just a minute and a half, but the Senator from Louisiana was in the Chamber, so it has taken me much longer. If the Senator would permit me to finish this brief insertion in the RECORD, then the Senator from Louisiana could enlighten me as to what OPEC means, and we can go ahead.

Mr. LONG. Well, let me say, that if I knew as little about the oil industry as does the Senator from Wisconsin, I would want to get off my feet, too.

Let me tell the Senator what OPEC means. It is just the "Office of Production," "Office," no "oil." [Laughter.]

Mr. PROXMIRE. Does the Senator from Louisiana know what it means?

The PRESIDING OFFICER. The time of the Senator from Wisconsin has expired.

Mr. LONG. Before I answer the question, I would like for someone to ask the person who laughed, if he knows what OPEC means so we can know at a later date just how much that person knows about the subject himself.

Mr. PROXMIRE. The Senator can do that after I leave. I do not want to be cut off. The time for the Senator from Kansas to speak is rapidly approaching.

Mr. LONG. Without burdening the Senate further with the full name of this organization, which frankly escapes me at the moment, would the Senator like to know who they are?

Mr. PROXMIRE. I am glad that neither the Senator from Louisiana nor the Senator from Wisconsin knows what OPEC means. That should be clear by now.

Mr. LONG. May I tell the Senator who they are?

Mr. PROXMIRE. I should be delighted to hear.

Mr. LONG. They are the Arab countries that sell us oil out of the Near East and Libya. That does not include Venezuela. But Venezuela does business with them. It works hand in hand with them. Does the Senator know what they are organized for? They are organized for the purpose of getting as much money for their oil as they can get. If one wants to negotiate with some foreign producers to get some oil in one of those countries, he will find that they will send someone down there about the same time he gets down there to be sure that no oil-producing country undercuts the price of the others. They are traders who want to get every penny for their oil that they can get.

If the Senator has any idea of what the steps are taken by oil-producing countries to assure that they get all the traffic will bear he will not be in favor of buying it—

Mr. PROXMIRE. Mr. President, I should like to finish my remarks and then I will be very glad to yield again to the Senator from Louisiana. I will be, of course, very much pleased to get off the floor as soon as I have finished, up until the Senator from Kansas (Mr. DOLE) gets the floor; but, I have the floor now, and as I understand it, once a Senator has the floor only the good Lord himself can take him off.

Mr. LONG. If I did not know more about this industry than—

Mr. PROXMIRE. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from Wisconsin has the floor.

Mr. PROXMIRE. I thank the Chair.

May I say to the distinguished Senator from Louisiana that I know he is as able in this field as he is in many other areas.

Mr. LONG. If the Senator will yield, I will tell him in 30 seconds—

Mr. PROXMIRE. It is clear that the oil industry in other countries could very well hold up our prices. I never made the



claim that we can or should buy oil at \$1.75 per barrel. I do think, however, that we can get it cheaper than we get it now. The consumer will be in a far better position if we had a somewhat more generous oil import program, so far as the consumer is concerned, than we have at the present time.

Now, Mr. President, to conclude reading from the United States Oil Week, the oil industry's own editorial, it goes on to say:

Many big refiners recently found a windfall in marketing games of chance to captive resellers.

It must be profitable.

Majors, with some praiseworthy exceptions, are working to protect their new product line by calling on the Federal Trade Commission for more federal regulation.

If the Bureau of Mines bought samples of gasoline to check the octanes—as some states do—refiners would cry "foul."

As it is the Bureau of Mines takes samples for majors and evaluates them and puts out the findings for all to read . . . all who have the key to the table and only the refiners have the key.

Saves the refiners a lot of money.

The refining industry "neatly avoids the twin horrors of competition and antitrust action" in crude marketing and gets "statistical and policing services (from the Interior Department) that supports its private price fixing and that would be unlawful if provided by the API or another trade organization," Dr. Robert Engler, a New York economist testified.

Despite the incentives, he noted, the domestic search for oil hasn't been stepped up.

While the economic power of the larger companies has been increased.

So it seems our sophisticated refining industry has learned what a good friend Uncle Sam can be.

It's a good Uncle who charges small businessmen 20% of their income as federal income tax and no income tax to one refiner, Atlantic Richfield, with well over \$100 million in net income.

Maybe the next American Petroleum Institute meeting should set aside a Government Appreciation Day.

Mr. President, this is, as I say, an editorial from the U.S. oil industry and not from a Wisconsin dairy publication. It is a solid indictment of the overwhelming generosity of the American Government—at the expense of the American consumer and taxpayer—to the oil industry.

Mr. President, I yield the floor.

#### EXHIBIT 1

#### MAJORS LOVE GOVERNMENT

The next time you hear a major oil company employ wax philosophically on about the horrors of government controls on business, smile.

We've got to guard against the growing threat of government regulation in our business.

That's the refrain frequently heard from major oil company employees.

Utter humbug.

Without government controls, big refiners would have to go out and hustle for a living.

"Under the antitrust laws," professor Walter Adams told a Senate Subcommittee recently, "It's a per se offense for private firms to fix prices or allocate markets."

"Yet in the name of conservation the government does for the oil companies what they could not legally do for themselves," he noted.

Incidentally, it's a criminal violation to fix prices, and some electric industry executives have been jailed for it.

Sen. Philip Hart's probe of government

intervention in gasoline and oil markets shows a different view of producer thinking than the usual conservative image shown in company magazines.

For oil refiners have destroyed the time-honored view that supply and demand tend to balance each other.

At the state level major companies have won government control over oil production.

When jacked up prices were threatened by oil produced under competitive conditions abroad, a federal imports wall was erected with only a dribble allowed in.

Many big refiners recently found a windfall in marketing games of chance to captive resellers.

It must be profitable.

Majors, with some praiseworthy exceptions, are working to protect their new product line by calling on the Federal Trade Commission for more federal regulation.

If the Bureau of Mines bought samples of gasoline to check the octanes—as some states do—refiners would cry "foul."

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Maybe the next American Petroleum Institute meeting should set aside a Government Appreciation Day.

Mr. LONG. Mr. President—

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. LONG. I am going to ask the Senator from Wisconsin if he will remain for a moment longer and perhaps learn a few things about the oil industry which he does not know at present.

In the first place, I have tried to fathom out what those initials OPEC mean, and I think I have it. OPEC means, "Organization of Petroleum Exporting Countries." That fits. I think that is what OPEC means, because that is what they are. That would include all the countries in the Persian Gulf, including Libya, but would include everyone else that could get in on it. It does not include Venezuela because they have not been able to persuade Venezuela to join. But Venezuela collaborates with them. Those countries so organized have a common purpose to make every country which buys that oil pay as much as they can get for that oil.

There is no reason why they should not. They have parallel interests, and they work together to advance their interests. I discussed that matter in a lengthy speech I made on the Senate floor. I recommend it to the Senator. I think he would learn quite a few things that he does not know now.

Here is my second. At the urging of the

Hart subcommittee certain people come in and give their opinions. Some may be college professors like Walter Adams. He is a fine man. He used to work with me. I used to be chairman of the Antitrust and Monopoly Subcommittee. I think he is a good economist. I would recommend him—not necessarily if I were to go into the oil industry. I think I could find someone who knows more about that business than does Walter Adams. He is a fine man, he is intellectually honest, so I think he is fair in what he says. But we do not necessarily get the correct answer from a man like Walter Adams, who would look at a price of \$1.75 a barrel for foreign oil and say, "See, you can buy all you want at \$1.75?"

If the United States is in a position to produce all the oil it needs, it will be doing the foreign producers a favor to buy their oil at \$1.75. If we told them that we would not buy it at \$1.75, the United States could buy it at \$1.50.

I ask the Senator if he knew what it would cost to produce oil in Libya. It would be about 10 cents for the lifting price. It is going to cost about 30 cents to ship it over here, or perhaps less. So if we look at the price which will be paid, we have to subtract 30 cents from it, which leaves \$1.45. So 14½ times the lifting cost, which means 14½ times the cost of production, is being charged. The only reason they are not charging 25 times the cost of production is that they cannot get it.

When Libya raised the price on its oil some time ago, every member of OPEC joined in support of Libya. They knew that if Libya raised its price, they also could.

So when we take the American price of \$3 a barrel at a gulf port, and subtract \$1.75, and then multiply that by 6 million barrels of oil per day and contend that the nation could save \$4 billion per year, the Senator is making a great, fatal miscalculation. He is assuming that the American consumer would buy the foreign oil at the same price when one is the captive as he could when the other is the supplicant. There is a substantial difference depending on who holds the whip hand.

Mr. PROXMIER. Mr. President, if the Senator will yield, I never made the assumption that we could buy it at that price. I said we could buy oil at a lower price than we are paying. There is another advantage—we would not use up our own limited reserves.

Mr. LONG. The Senator from Wisconsin did not say that, but the Senator from Massachusetts came on the floor and said that in my presence a few days ago. I debated that. He did not hear my speech. He heard one of the committee witnesses, who, if I do say so, represented about as one-sided a parade of witnesses as I have ever heard of.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG. Mr. President, I ask unanimous consent to have 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG. The Senator listened to the Hart subcommittee witnesses explain one side of the argument, and did not hear the other side, which I explained,

but he attempted to reply to a speech he had not heard, and fell into the fallacy which I have been pointing out. I am sorry the Senator is not here. I shall be glad to debate it with the Senator any time he wants to. His reply was based on the assumption that if a country cannot produce any oil, it can buy oil at the same price it could if that country could produce every barrel of oil it needed, when the producers in that same country complain that they are not allowed to produce more because foreign imports are coming into the country.

The Senator from Massachusetts (Mr. KENNEDY) is in error when he makes the calculation that we would save all that money, when the fact is that the other countries would raise their prices if this country were their captive buyer.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. PROXMIRE. Would the Senator concede any competence on the part of the witnesses who testified before the committee?

Mr. LONG. Some.

Mr. PROXMIRE. Is it not possible that they may be right and the Senator from Louisiana may be wrong in some respects? Is it not also possible—

Mr. LONG. Just let me answer the first question. If the Senator asks one question at a time, I shall be delighted to answer.

I have heard what the witnesses said. They obviously have not heard what I said. They have not offered to answer my argument. I have answered theirs.

Mr. PROXMIRE. If we eliminated the oil import program—which I do not propose; I say we should modify it—these witnesses testified that the oil could be bought at a price lower than the present international price, absent the oil import problem. They argue that the foreign countries would then compete vigorously for the U.S. market, and if they did so, the price would be lower.

Mr. LONG. Mr. President—

Mr. PROXMIRE. It would be lower than the price the consumer now has to pay for oil in this country.

Mr. LONG. Mr. President, I demand the regular order.

The PRESIDING OFFICER. The Senator from Louisiana has the floor.

Mr. LONG. I am willing to yield to the Senator, but I would like him to show me the courtesy of allowing me to answer the first question before he takes me to the second question. I will answer any question he wants to ask me about the oil business. One thing I am satisfied of is that I know more about the oil business than does the Senator from Wisconsin, and I am happy to respond if he wants me to provide answers about it, because I think he needs that information.

The Senator asked me if we could get the oil cheaper.

Mr. PROXMIRE. Will the Senator yield?

Mr. LONG. Let me answer that one question first. Can we get the oil cheaper? The answer to that question is "Yes." Why do we pay more? Do they know why? I will tell the Senator. Because there is no more vital thing one needs if he is going to fight a war than to have enough fuel to operate the instruments of

war. I do not care how good a tank is—if we do not have any gasoline to put into the tank, we are bound to one spot on the ground with it and we cannot move it.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG. Mr. President, I ask unanimous consent to have 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG. I do not care how good an airplane may be—without some fuel in that airplane's tank, it will not move. Nobody has learned how to boot the thing into the air and keep it up. It will not do the job unless it has fuel.

One thing which was determined by those who studied the problem under Presidents Johnson, Kennedy, and Eisenhower, was that we must be able to provide the requirements of the American national defense position even if it costs a little more. We should not be at the mercy of Nasser at the Suez Canal. Let us not be at the mercy of the Sultan of Kuwait—not that he would not help us, but the Russians can take that country any time they want to. Let us not be in a position where we cannot provide our own requirements. The policy was decided, by every President, under his advisers, that we should be able to meet our own requirements of fuel. That is why we have a domestic petroleum policy.

Even if we did not have those national defense requirements, we would still need to produce oil, because the Arabs and their associates would not stop at a \$3 price. They would raise the price until we were able to get enough fuel out of coal or shale to make it unprofitable for them to further raise the price.

Now for another point.

Would the Senator be surprised to know that the oil industry pays more taxes than the average for all manufacturing? Would the Senator be surprised?

Mr. PROXMIRE. Does the Senator want me to answer?

Mr. LONG. Yes, I want the Senator to answer. I asked him the question.

Mr. PROXMIRE. The fact is that they pay about 17 percent, as far as income taxes are concerned, as compared with close to 50 percent for others. The Senator has many times argued that oil companies pay more taxes than the rest of industry. When he does this he includes all of the user taxes. The Senator included the taxes you and I pay when we drive our car into a filling station and fill the tank and then says the industry pays all those taxes. When we recognize that the corporation income tax is the only tax in which the incidence of the tax, the full burden of the tax falls on the corporate owner, the stockholder. Here is where oil gets away with murder.

Mr. LONG. Mr. President, regular order.

Mr. PROXMIRE. On this basis the oil companies pay only a part of the taxes that other companies pay.

Mr. LONG. Mr. President, regular order.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. LONG. Mr. President, I yielded to the Senator to answer my question, not to make a complete speech on a totally

irrelevant question. All I asked him was whether he would be surprised to know that the industry paid more taxes than the average for all manufacturing. He said, yes, he would be surprised, because it is not a fact.

Mr. PROXMIRE. That is right.

Mr. LONG. He said it is not true. Well, it is true. The Senator again is proceeding under a fatal burden of ignorance that I am including in my assumption the gasoline tax that one pays when he buys the product at the pump. I am not including that. This is a burden on the product, a product that has a greater burden than any other except tobacco and alcohol. When a product carries a burden like that, it obviously makes it more difficult to make a profit. Oil carries a heavier burden of taxes than any other except the two that I mentioned, both of which have health or moral aspects involved.

Leaving that out, leaving out the consumer tax that they pay when the product is sold at the pump, let us just talk about the taxes they pay to government. Aside from that, would the Senator be surprised to know that those companies pay more than the average for the manufacturing industry, leaving those items out?

Mr. PROXMIRE. I say they do not.

Mr. LONG. They do not?

Mr. PROXMIRE. They do not.

Mr. LONG. Mr. President, the answer is that they do. And if the Senator will not shout me down, I will prove him wrong again.

You see, when I asked that question, I was not talking about just the Federal tax on the income. I was talking about the property taxes they pay to State governments. I was talking about the tax they pay on the severance, when they take oil out of the ground, which is a State tax. I was talking about the taxes they pay the State, city, and local governments, as well as the Federal Government; because, from the point of view of a businessman making an investment, he wants to know how much he made after taxes, and it does not really make too much difference whether it was a Federal tax or a State tax he paid, he wants to know how much he made by the time he got through.

If you put it on that basis, you will find that the oil industry pays more taxes than the average for all manufacturing.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. LONG. I ask for 3 more minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG. I say to the Senator, I have made that statement a half dozen times around here, and I am sorry I had to challenge the Senator in order to direct his attention to it, but if he will look that up, and look at some of my speeches, he will find that I have been responding to some of his arguments, but he is not responding to mine. If the Senator will look that up, he will find that the severance tax—does the Senator know how much that is in Louisiana? Between 15 and 23 cents a barrel, depending on the gravity of the oil. It works out to 8 or 9 percent of the gross, before the producer knows whether he made a profit or not.

When you look at the severance taxes,



the property taxes—why do they tax an oil company so much more than a manufacturing company in property taxes? Let me explain that to the Senator. If you are a manufacturing company, with your plant sitting here, and they put a big tax on you, you would just pick that plant up and move it to the next State. So they cannot tax the eyeballs off of you if you are a manufacturing concern, but if you are an oil company, and they put a big tax on you, you cannot slant drill far enough to get Louisiana oil out of Wisconsin, so you have to pay the tax to Louisiana, whether you like it or not.

So this industry has paid more taxes than the average for all manufacturing; and furthermore, they have a control on production for reason of public interest. The Senator said it is just for purposes of helping maintain the price.

The fact is that the present method of conservation is about the only way you can do it.

Let me explain that, I regret that the Senator has left the floor now, but I will explain it, hoping that he will read it in the RECORD.

Mr. President, I did not plan to take the Senator from Wisconsin off his feet to begin with, nor did I plan to run him off the floor now, but I guess if I did not know any more about the oil industry than my friend, I would have left by now, too. So, Mr. President, let me explain that part of it.

It used to be, in the early days when people were in the oil business, the first guy discovering the oil tried to get it all. They used to dam up a hollow, run the oil out on the surface of the ground, and fill the hollow before the other fellow could drill a well. Then it was all yours, and he got none, and you would hope it would not rain until you could sell the oil.

I see the Senator from Wyoming (Mr. HANSEN), a Senator from an oil-producing State, is here. He can understand why they would hope it would not rain while they have that oil in the hollow; because if, while you had all the oil, your oil plus your neighbor's oil, here comes a great big rain. Oil is lighter than water, and if the rain fills the reservoir, the oil level will rise higher and higher. The oil floats on top of water. It runs over the dam, and never stops until it gets to the Gulf of Mexico; and nowadays folks would complain about your polluting the water while all your oil escaped down to the gulf and killed our fish down there.

So we passed some conservation laws, to say, "Look, you cannot dam up the oil and fill up the hollow with oil; you must leave the oil in the ground until you have a sale for it. If you try to get it all, you will lose most of it anyway, when you have lost all your gas pressure that pushes it up for free."

We said, "Look, you cannot do it that way. We are not going to let you take that oil out any faster than you can haul it away and sell it; and if you do not have any place to put it, we are not going to let you pollute the Mississippi River or the State of Wisconsin, if they had any oil up there, which they do not, all the way down to the Gulf of Mexico."

We said, "If you have no place to put

it, and nobody to buy it from you, you just cannot produce it until you have a market and a buyer."

Then we run into the next problem. Here we are, over in Louisiana, looking at our friends across the Texas line. If you were from Louisiana, you would know what I mean by the SUFT program: "Save Us From Texas." Every time we have a chance to get something for Louisiana, they try to take it away from us and carry it off to Texas. We produce more oil per acre than they do; we produce more oil per capita than they do; we produce more oil any way you want to count it, except for the fact they are bigger than we are, which is the only reason that they produce more oil.

If we had our way, we would take their market away from them, and if they had their way, they would take ours away from us. They have taken quite a few things from us, and we have taken some from them.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. LONG. I ask unanimous consent to proceed for 3 more minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG. So we found in those early days, when they brought in that big east Texas field, all the farmers up there were drilling alongside one another, just pulling the oil out, disposing of it any way the mind could conceive with a lot of it going down the rivers to the Gulf of Mexico. The Governor of Texas had to call out the National Guard to save the State from being burned up by the oil. Everybody was trying to haul it off, sell it, give it away, bootleg it, or do anything they could with it.

So we said to them, "Let us try to work this out. We in Louisiana will only produce this stuff as fast as we have sale for it, and you in Texas only produce it as fast as you have sale for it, because if we do not do it that way, you are going to get all that oil above ground, where it will pollute the streams, or it will evaporate. It will last better and store better right down where God put it, right down there in the ground. It will not depreciate, and nothing will happen to it until somebody has need of it."

We did not have a Santa Barbara episode, or anything like that, where the oil polluted everything, but we got the thing under control. If you have no place to put it and no one to sell it to, you should not take the oil out of the ground.

That is what the oil quota system is all about. We have the interstate compact to work together, to see that Louisiana will not produce so much oil that we have no place to store it, nor will Texas do that, because we found that you have to get some agreement between Louisiana, Texas, and other States, like Wyoming, whereby the States say to each other, "Look, fellows, don't try to hog the whole market. You produce your share, and we will produce our share." You try to get some understanding among the various commissioners as to what each State's fair share ought to be, and say, "You take your share and we will take ours." It is just about that simple.

I can understand how my good friend Dr. Adams can argue that the whole

thing was for the purpose of creating a monopoly. Of course, if I were as anti-trust-oriented as he, I would almost be bound by that position. But as a matter of fact, that is not what has caused us to have an interstate oil compact. That is not how it happened. It happened because we needed some good conservation practices.

It is true that if we had oil polluting all our streams, burning up all over the place, creating health and fire hazards, and polluting the atmosphere as well as the water, it might make some people happy, because they might be able to buy it a little cheaper. But looking at all the factors, is it not better that we keep the streams clean, keep the atmosphere clean, and take the oil out of the ground only as we have a sale for it? If we do not have sale for it, we keep it there in the ground until we do have sale for it. That is where the good Lord put it, and if we try to follow Him, we will not destroy this planet or pollute it.

Mr. President, I had not read the Senator's article. I did not object to it when he put it in the RECORD, but I would be curious to know its source.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. LONG. I ask for 2 more minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG. Mr. President, I would be curious to know what this man found in what is supposed to be an oil publication that would prove his point against the oil industry. I will read the article with great interest.

It may be that that industry is trying to show as a matter of fairness to the oil people why somebody else does not like the oil industry.

I wish the Hart subcommittee would be that fair and bring forth some people to tell the other side of the argument that the subcommittee has not heard. I guess that if I were to come from a State that produced practically no oil but mostly automobiles, I would make the same argument. Michigan produces very little oil.

Mr. President, the truth is that the people in the oil industry are every bit as honorable, fair, and ethical as those in any other industry. To cite one example, the oil industry does more business over the telephone than does any other single industry. People are constantly amazed at the fact that oil men will call on the telephone and say, "I will let you have that lease. I will sell you that oil." This is done over the telephone, with no written memorandum. Yet, people can trust them to deliver on their word given over the telephone. They have been doing this for many years. A man's word is good.

That frontier spirit exists in the oil industry more than in any other industry in America. A man gives his word, and it can be counted on. The man can be trusted. Those are good people.

As one who represents a State producing a good deal of oil, I do feel a sense of compassion for someone who so poorly understands Americans as to think they are corrupt and pirates when they are, in fact, good, hard-working citizens, trying to make an honest buck, the same as everybody else.

The PRESIDING OFFICER. Is there further morning business?

# POLLUTION IN POTOMAC REFLECTS U.S. APATHY

Mr. BAKER. Mr. President, I call to the attention of the Senate an article entitled "Pollution in Potomac Reflects U.S. Apathy," written by William Steif, and published in today's Washington Daily News.

I commend the article to my colleagues for its content and to underscore the seriousness of the problem confronting the country. I also commend the Washington Daily News and Scripps-Howard for dealing with this very important subject.

I ask unanimous consent that the article to which I have referred be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

## POLLUTION IN POTOMAC REFLECTS U.S. APATHY (By William Steif)

(NOTE.—The following article is the first of a series in which Scripps-Howard Newspapers will report from time to time on flagging efforts to counter the ever-growing menace of pollution of our environment. This story, while focusing on the Potomac, outlines problems common to many of the nation's befouled waterways.)

The historic Potomac has become a monument to the nation's apathy toward the pollution of its dwindling water resources.

The Potomac's turbid waters slosh thru the District, carrying tons of silt from Maryland and Virginia and untreated wastes from hundreds of thousands of people and animals. The shad and herring which Capt. John Smith found "lying thicke" in the river in 1608 have all but vanished. In their place are carp, catfish and sometimes only bloodworms.

Upstream, at Harpers Ferry, the visitor can stand on a piling and watch the clean and sweet waters of the Potomac merge with those of the Shenandoah.

### FOULED DOWNSTREAM

Seventy miles downstream, the river has become fouled. Only a few miles below the District the Potomac meanders past Mount Vernon. There the river is clogged with blue-green algae, oil spills and garbage.

Washingtonians have made their uses of the Potomac's water and flushed it away.

We are typical of most Americans, hustling and heedless. And the Potomac, with some regional differences, is typical of most American waterways—the Mississippi and the Ohio, Lake Erie and Biscayne Bay, the Platte, Rio Grande, Trinity and Tennessee.

Few Americans apparently care enough to save a dwindling resource. The game is to pass laws and then pay lip service to them.

### SHORT RIVER

The Potomac is a short river, rising in Western Maryland.

Just above the District, its character changes. It becomes an estuary, possessed by a tide. In terms of pollution, this is ominous. The Potomac does not flow swiftly to the sea. It sloshes back and forth on the tides, and so does its filth.

The Potomac has one great advantage over most major bodies of water. Since Washington's chief industry is government, there is little industrial pollution.

But the river also is in the midst of one of the three fastest growing metropolitan areas in the nation. Sometime next year there will be three million people in the area, compared to 1.6 million in 1955. The experts

say 7.7 million people will live here by the year 2000.

And people account for 90 per cent of the Potomac's pollution.

What is pollution?

Think of the waste produced by one human being in one day.

Multiply that by 673,000.

That is the equivalent of how much incompletely treated sewage is pumped into the Potomac yearly. Mixed with the silt are the pesticides drained from nearby farms and gardens.

What do raw sewage and silt do to the river?

Every month water is tested all over the Potomac basin. The scientists who do the testing say water is dangerous to swim in if a large drop has more than 1000 bacteria. They say a large drop with more than 100 fecal bacteria is dangerous.

Altho 15,000 pleasure boats operate on the Potomac in this area and some people water-ski, hardly a month passes in which the bacteria tests of the river don't exceed the safety limits. Here are typical results:

Last July at the Woodrow Wilson Bridge, the standard bacteria count was 29 times the safety limit.

Last August at Memorial Bridge the fecal bacteria count was 230 times the limit.

These counts explain why Don Lear, a biologist at the Annapolis laboratory of the Federal Water Pollution Control Administration (FWPCA), says:

"People working on boats in the Potomac should use bactericide to wash their hands."

### DESTROYS OXYGEN

The worst thing pollution does is destroy the oxygen in the water.

Oxygen is vital for the biological process by which tiny organisms in the water "burn up" organic wastes. When too much oxygen is demanded the wastes pile up, thereby further depleting the water of oxygen. The end product of this chain is the accumulation of enormous "dead" areas in bodies of water, where nothing lives. This already has happened in Lake Erie. It is a threat to Lake Michigan and the Potomac.

The pollution of the Potomac started years ago.

In 1894 an Army Surgeon General's report complained that the river was "unfit for bathing as well as for drinking and cooking." In 1907 an Interior Department study fretted over the river's pollution. So have many other studies.

In the 1930s agitation for a waste treatment plant began and in 1938 the District's first such plant opened.

### CONGRESS ACTED

In 1956 Congress ran one of its periodic fevers over pollution. It authorized the Public Health Service to call conferences—actually a form of legal proceeding—on interstate pollution. Congress authorized PHS to go to court against polluters if the conferences failed to produce solutions.

A Potomac pollution conference was among the first five called. It convened Aug. 22, 1957, and again Feb. 13, 1958. The outcome was an order to the District, Maryland, Virginia and their subdivisions to treat their raw sewage so that 80 per cent of the sewage's demand for oxygen in the river would be eliminated. The District also was ordered to separate all storm and sanitary sewers by 1966 so that great amounts of raw sewage would not be washed directly into the river during rainstorms.

Since the District was adding a modern treatment facility to its plant, it was believed these modest goals could be attained.

They were not.

An FWPCA report issued last month said: "The Potomac river estuary remains grossly polluted due to inadequate sewage treatment, the rapid population growth and the discharge of combined sewer overflows and raw sewage."

The report noted that oxygen in the water had been reduced "to levels that would not support a sport fishery." It talked of "repulsive debris . . . fish kills . . . offensive odors" and nutrients—phosphates and nitrates—which support "excessive growths" of slimy algae.

The D.C. waste treatment plant at Blue Plains which today serves 1.8 million people in the area treats raw sewage so that just over 70 per cent of the sewage's demand for oxygen in the river is eliminated. Two of the eight much smaller plants in the area also fail to come up to the 80 per cent standard.

The separation of storm and sanitary sewers is only 78 per cent completed and at the present rate won't be finished until the year 2000.

### NEW GOALS

Assistant Interior Secretary Carl L. Klein reconvened the pollution conference this month to try to learn why the goals had not been attained—and to establish new goals along lines suggested in the FWPCA report.

Why haven't the goals been reached?

The main reason, it is agreed, is local, state and federal apathy.

Says George Arnstein, a social scientist working on an ecology project for the National Academy of Sciences: "If water pollution were nuclear radiation, you can bet you life something would have been done about it."

Mr. Arnstein has a tongue-in-cheek proposal. He asks: "Why not pass a law forcing all communities to put their water intakes below their waste treatment outfalls?"

Other pressures also keep the Potomac dirty:

In 1965 then Interior Secretary Stewart L. Udall sold President Johnson on a grandiose plan for the Potomac basin. Then FWPCA was transferred from the public health service to the Interior Department, where a struggle ensued for jurisdiction over Potomac planning. Some FWPCA officials think that because the pollution planners lost to the park planners, the river's filth was ignored. The park plan took three years and is now gathering dust.

A squabble over extending a waste treatment plant pipeline across National Park Service land in Maryland has kept a new treatment plant running at a quarter of capacity. Several million gallons of waste are being pumped daily into the ineffective D.C. plant as a result, for conservationists have persuaded the House Interior Committee to block the pipeline permit.

Since 1957 only \$165 million has been spent for waste treatment plants and sewer separation in the Washington area. That is \$15 million a year in an area where municipal budgets total more than \$1 billion. It is an index of the apathy toward water pollution.

Now FWPCA wants waste treatment plants which can't achieve 80 per cent reduction in the oxygen demand of their sewage to be pushed to 96 per cent. It demands immediate storm and sanitary sewer separation, silt control and new phosphate treatment facilities.

### PLAN DRAFTED

District officials have drafted a 30-year, \$306 million Potomac cleanup plan. But they doubt they can get financial support from Congress for it. They aren't sure people here care about swimming in the Potomac enough to pay for it.

Congress hasn't shown it cares. The Mr. Klein at the recent Potomac pollution conference tongue-lashed local officials, his department is asking only a fifth of the \$1 billion authorized nationally for water cleanup in fiscal 1970.

Last summer the people in Cleveland wanted to swim in Lake Erie. The city and federal government spent \$2 million to chlorinate a few hundred yards of beach and lake for three months of swimming.

This kind of makeshift cleanup may be



the only kind applied to the Potomac—and the Ohio, Mississippi, Platte and Tennessee rivers—for years to come.

#### DECISIONS OF PREVIOUS ADMINISTRATION ON CURTAILING RAILWAY POST OFFICE OPERATIONS

Mr. ALLOTT. Mr. President, it has been nearly 2 years to the day since this Senator introduced legislation in the 90th Congress aimed at preventing the Post Office Department from further curtailing their railway post office—RPO—operations.

For many years the Post Office had utilized RPO cars for significant long-distance mail routes. While RPO's took a greater length of time in traveling from place to place than did planes, the mail on the RPO's was sorted en route to its destination which meant that it was ready for home delivery when it was unloaded at the rail station.

The Post Office, over a long period of time, had been substituting other modes of transportation for RPO's here and there, as the need of the Department required it. Yet just 3 years ago, a great part of the postal operation was handled via RPO's.

At the time I introduced Senate Concurrent Resolution 25 which I mentioned before, it had become obvious that the Postal Department had adopted a policy of wholesale conversion of RPO service to other modes, especially air service.

By means of literally dozens of letters, telephone conversations, and questions to the Department when the Post Office appeared before the Treasury Post Office Subcommittee of Appropriations, I tried to learn the true reasons for the decision to abandon the RPO's.

The man who essentially made that decision was William J. Hartigan, who was Assistant Postmaster General for Transportation. He contended that the discontinuance of RPO's was an "improvement." He told the Congress that this move would save the Government money.

From the reaction I received from throughout the Nation to my campaign to save the RPO's, and the documented evidence which poured into my office, I could only conclude that mail service had substantially deteriorated as a result of this move. In addition, no figures were ever presented to the Congress which satisfactorily proved that the elimination of RPO's saved the Government money. In fact the opposite appeared to be the case.

Nevertheless, I continued to probe and question. I was determined to find out just why the discontinuance of RPO's was being pursued with almost ruthless determination by Mr. Hartigan and the Post Office.

Finally, on September 22, 1967, my patience having been exhausted, I issued a statement calling for the termination of Mr. Hartigan's employment with the Post Office.

Unbeknown to me and other legislators similarly concerned with this problem, but certainly known to Mr. Hartigan, another important event occurred in September 1967.

In that very eventful month, The Sedalia Marshall Boonville Stage Line,

Inc., began air taxi mail service. This firm, with headquarters in Des Moines, Iowa, had no air taxi mail service prior to that time, but it wasted no time in acquiring prime contracts from the division of the Post Office which Mr. Hartigan administered.

Now, later on in 1967, in fact just before the year ended, I was contacted by Mr. James H. Phelps, who was at that time State legislative representative for the Brotherhood of Railroad Trainmen in Idaho.

Mr. Phelps speaking by phone from Pocatello, said he had heard from a reliable source that Mr. Hartigan would soon leave the Post Office Department and would take a position with an air taxi service which had just begun to obtain many important air taxi mail contracts. He asked me to check out this report.

Shortly after the first of the year, when Mr. Hartigan announced that he would soon be following the suggestion of the senior Senator from Colorado and would be finding employment elsewhere, I determined to watch closely exactly what position he would take.

However, Mr. Hartigan by his actions in February 1968, did nothing to publicly substantiate the most interesting report Mr. Phelps had mentioned and I so informed him.

Mr. Hartigan, it seems, established himself as a Washington "transportation consultant," a broad general title which, as everyone in the business knows, can cover a multitude of activities.

However, later in 1968, Mr. Hartigan apparently felt that an up and coming air taxi firm would better suit his experiences, which were acquired while he was busy at the Post Office determining which RPO's should be eliminated in favor of which air mail hauling contracts.

And so Mr. Hartigan became vice president of the Sedalia Marshall Boonville Stage Line, Inc. Undoubtedly that firm was able to make Mr. Hartigan an attractive offer since its air mail revenues had jumped from \$60,030 in 1967 to \$1,289,851 in 1968. The firm is now the largest air mail taxi carrier in the United States.

This whole episode reads like a fairy tale with a happy ending. Mr. Hartigan is happy in an executive position which properly utilizes his talents and I am happy because I believe that I finally have a little better understanding of why it was that Mr. Hartigan pursued the discontinuance of RPO's with such determination. Until now, I never could quite comprehend that point, given the fact that the service had not improved and Post Office costs continued to escalate.

Unfortunately for those who utilize the mails, or who have been stranded without rail passenger service because the elimination of RPO's made passenger trains so unprofitable they were discontinued—unfortunately for these people this tale has an unhappy ending.

One can be sure of one thing, however: the next time Mr. Phelps calls me with a report, I am going to pay very close attention to it.

I also hope and trust that this administration will reexamine the whole matter of mail transportation to see if the decisions which were made under

Mr. Hartigan's jurisdiction were fair and just and in the national interest. If they were not, they should be rescinded immediately.

#### GOOD DEEDS EVERYDAY THING FOR YOUNG IOWANS

Mr. MILLER. Mr. President, it would be wonderful if the present dissent and discord in our Nation would disappear—or, at least, be exercised more responsibly.

It would be nice if we could somehow convince those in our country who persist in defying the law, who seek to destroy the physical and intellectual assets of our universities, who tear at the moral fiber of our society, that such actions do neither themselves nor our civilization any good.

If this rush down the path of anarchy by the destructive among the young dissidents is to be stopped, then the example must come from the 99 percent of our youth who choose not to destroy, who seek not to undermine, but who elect to build and rebuild. In that 99 percent are reflected the good in America, the strength of America, the future of America.

They are the ones who by their example demonstrate their faith in America. To them, good deeds are their thing, on a daily basis. The youth of Iowa are in that category.

The Iowa story is the story of the real America, a story repeated in every State of the Union. But their good deeds, their warmth and compassion are usually not the stuff of headlines.

However, last week the good in our youth did make the headlines across the State of Iowa. In an excellent article, Iowa Associated Press Writer John Armstrong chronicled the community service activities of Iowa youth. As Armstrong put it:

Without fanfare, thousands and thousands of young Iowans are proving each day they're not such bad kids after all.

I believe his article, which appeared in the Cedar Rapids Gazette of April 8 and in other Iowa dailies, merits the attention of my colleagues and the other readers of the CONGRESSIONAL RECORD. It truly underscores that when all seems lost, you can always depend on our youth to come through. Perhaps printing of the Iowa youth story will lead to a national movement to reporting the good in our youth, not the isolated bad which makes the news so frequently and which leaves in its wake the impression that most of our youth are bad.

I ask unanimous consent that the article, entitled "Good Deeds Everyday Thing for Young Iowans," be printed in the RECORD.

There being no objections, the article was ordered to be printed in the RECORD as follows:

#### GOOD DEEDS EVERYDAY THING FOR YOUNG IOWANS

(By John Armstrong)

They pitch in by the hundreds to help cities fight back floods. They take orphans to parks and art galleries. They raise thousands of dollars for starving Biafra children. They show juvenile delinquents that someone cares.

Without fanfare, thousands and thou-

sands of young Iowans are proving each day they're not such bad kids after all.

Despite talk of sex orgies and pot smoking, four-letter words and unruly draft protests, the vast majority of Iowa's high school and college students never cross the law. Many of them make good deeds an everyday thing.

While state legislators were complaining recently about profanity at a University of Iowa seminar, a "nude-in" at Grinnell college, sexual promiscuity, beer drinking and marijuana use at Des Moines high schools, most students were quietly "doing their thing."

Like forming teams to help river communities erect sandbag dikes.

"These young people do a tremendous job," said Scott County Civil Defense Director Joseph Dooley in Davenport. "Some of them do it as a lark. Others like the exercise. All of them are impressed with the fact they're serving the community."

"In emergencies the kids are much more likely to volunteer than the parents."

Clinton Mayor Harold Domsalla found that out last week. He said great numbers of high school students were turning out to fill sandbags, but adults were reluctant to help with the back-breaking work.

"We are making good progress," he said of Clinton flood control efforts, "but unless we have better response from the adults, we are apt to find ourselves in a serious situation."

In Des Moines about 15 teenage boys responded to an immediate emergency Sunday when they helped firemen douse flames from a brush fire at Water Works park. The flames almost reached two stables housing about 100 horses.

"The fire could have been a catastrophe, but it wasn't," commented Lt. Harry Wray of the Des Moines fire department. "Those boys really helped us. It kind of revives your faith in youth."

Mr. and Mrs. Kenneth Cassatt of Ottumwa have faith in youth. Four Ottumwa high school students raised more than \$400 for brain surgery for the Cassatts' 8-year-old boy, Danny.

Elderly men at the Hamilton county home in Webster City have faith in youth. A group of male students at Iowa Central Community college goes to the home regularly to play cards and checkers or just visit with the residents.

Members of the St. Paul's Episcopal Indian Mission in Sioux City have faith in youth. Some Morningside college students purchased a 54-seat bus, which is used to transport Indian families to various events in the city.

Also at Morningside, a fraternity provides monthly support money for Huynh Lang, a 9-year-old South Vietnamese boy whose father was killed in military action.

While many college students engaged in Easter vacation hijinks in Florida and California, others made better use of the free time.

More than 40 Grinnell college students spent time in Denver, New York, St. Louis and Des Moines studying the problems of education, housing, recreation, employment and health among the poor. Nineteen Pella Central college students did the same in Cleveland.

A number of University of Northern Iowa students organized Easter egg hunts for poor children.

#### IOWA UNIVERSITY ROLE

Kathy Starbuck, head of the Hawkeye Area Community Action Program, said one of every 10 volunteers for the program are University of Iowa students. Most of them tutor underprivileged children.

University of Iowa coed Jane Rosborough of Iowa City spends one and a half hours a week at the Pine school, which provides special education for handicapped children. She's now decided to make special education her major field of study.

A number of Iowa State students are tu-

toring high school students two hours a week, while others spend six to 10 hours a week with young delinquents and children from fatherless homes.

About 20 University of Northern Iowa students meet at least two hours a week with juvenile delinquents in Black Hawk County. Juvenile Court Judge Forest E. Eastman of Cedar Falls said the meetings help raise the goals of the troubled youngsters.

#### FUNDRAISERS

Students also are energetic fund raisers. Waterloo's East High has made headlines because of its racial troubles, but there's white-black harmony, too. A group of white and black students currently is trying to raise \$2,500 for new playground equipment at a neighborhood center.

A Blafara Fast day at the University of Northern Iowa earlier this year raised \$3,000.

The Des Moines Inter-City Student Council recently presented a \$1,000 check to the Brian O'Donnell fund to help the Central college football player whose spine was severed in a game last fall.

Members of a University of Northern Iowa fraternity have raised \$2,000 over the last two years by throwing a carnival for the Crippled Children's fund. Most of the money has gone to Camp Sunnyside, a facility for handicapped children near Des Moines.

Hundreds of University of Iowa students are raising money for the Martin Luther King Scholarship fund, which will provide financial aid for needy Negro students who wish to attend the university. Lora Kluever of Atlantic raised several hundred dollars in her hometown last Christmas vacation.

Dr. Ray Pugh, chairman of the men's physical education department at Drake university said too many adults condemn young people for the actions of the small number of trouble-makers while ignoring student's many worthwhile activities.

"You know," he said, "so often a pat on the back is 100 percent better than a slap in the face."

#### ORDER OF BUSINESS

The PRESIDING OFFICER. Under the previous order, the Chair recognizes the Senator from Kansas (Mr. DOLE), for not to exceed 1 hour.

#### HANDICAPPED AMERICANS

Mr. DOLE. Mr. President, my remarks today concern an exceptional group which I joined on another April 14, twenty-four years ago, during World War II.

It is a minority group whose existence affects every person in our society and the very fiber of our Nation.

It is a group which no one joins by personal choice—a group whose requirements for membership are not based on age, sex, wealth, education, skin color, religious beliefs, political party, power, or prestige.

As a minority, it has always known exclusion—maybe not exclusion from the front of the bus, but perhaps from even climbing aboard it; maybe not exclusion from pursuing advanced education, but perhaps from experiencing any formal education; maybe not exclusion from day-to-day life itself, but perhaps from an adequate opportunity to develop and contribute to his or her fullest capacity.

It is a minority, yet a group to which at least one out of every five Americans belongs.

Mr. President, I speak today about 42 million citizens of our Nation who are

physically, mentally, or emotionally handicapped.

#### WHO ARE THE HANDICAPPED?

Who are the handicapped?

They are persons—men, women, and children—who cannot achieve full physical, mental, and social potential because of disability.

Although some live in institutions, many more live in the community. Some are so severely disabled as to be homebound, or even bed-bound. Still others are able to take part in community activities when they have access and facilities.

They include amputees, paraplegics, polio victims. Causes of disability include arthritis, cardio-vascular diseases, multiple sclerosis, and muscular dystrophy.

While you may have good vision and hearing, many persons live each day with limited eyesight or hearing, or with none at all.

While you may enjoy full muscle strength and coordination in your legs, there are those who must rely on braces or crutches, or perhaps a walker or wheel chair.

While you perform daily millions of tasks with your hands and arms, there are many who live with limited or total disability in theirs.

And in contrast to most people, thousands of adults and children suffer mental or emotional disorders which hinder their abilities to learn and apply what is learned and to cope adequately with their families, jobs, and communities.

Then there are those who are afflicted with combination or multiple handicaps.

#### NOT JUST THE HANDICAP

For our Nation's 42 million handicapped persons and their families, yesterday, today, and tomorrow are not filled with "everyday" kinds of problems which can be solved or soothed by "everyday" kinds of answers. Their daily challenge is: accepting and working with a disability so that the handicapped person can become as active and useful, as independent, secure, and dignified as his ability will allow.

Too many handicapped persons lead lives of loneliness and despair; too many feel and too many are cut off from our work-oriented society; too many cannot fill empty hours in a satisfying, constructive manner. The leisure most of us crave can and has become a curse to many of our Nation's handicapped.

Often when a handicapped person is able to work full or part time, there are few jobs or inadequate training programs in his locale. Although progress is being made, many employers are hesitant to hire a handicapped person, ignoring statistics that show he is often a better and more dependable worker.

The result is that abilities of a person are overlooked because of disabilities which may bear little or no true relation to the job at hand. The result to the taxpayer may be to support one more person at a cost of as much as \$3,500 per person a year. To the handicapped person himself, it means more dependency.

#### STATISTICS

Consider these statistics: Only one-third of America's blind and less than half of the paraplegics of working age are employed, while only a handful of



about 200,000 persons with cerebral palsy who are of working age are employed.

Beyond this, far too many handicapped persons and their families bear serious economic problems—despite token Government pensions and income tax deductions for a few, and other financial aids. I recall a portion of a letter received recently from the mother of a cerebral palsy child in a Midwestern urban area:

There are the never-ending surgeries, braces, orthopedic shoes, wheelchairs, walkers, standing tables, bath tables and so on . . . we parents follow up on every hopeful lead in clinics and with specialists; we go up and down paths blindly and always expensively . . . I have talked with four major insurance companies who do not insure or infrequently insure CP children . . . although our daughter is included in her father's group hospitalization plan, many families are not as fortunate. These are just a few of the problems, compounded by the fact we must try to adequately meet the needs of our other "normal" children. In many cases, some kind of financial assistance would enable us and others like us to provide for our children in our homes, avoiding overcrowding of already overcrowded facilities and further adding to the taxpayer's burden costs for complete care.

There are other problems—availability and access of health care personnel and facilities at the time and place the individual with handicaps needs them. In my own largely rural State of Kansas, many handicapped persons travel 300 miles or more to receive the basic health services they require.

Education presents difficulties for many parents of handicapped children. Although a child may be educable, there may be few, if any, opportunities in the community for him to receive an education. Private tutoring, if available, is often too expensive. Sadly, to date, the Council for Exceptional Children estimates less than one-third of the Nation's children requiring special education are receiving it.

In rehabilitation, the Department of Health, Education, and Welfare said recently 25 percent of America's disabled have not received rehabilitation services and do not know where to seek such help. They estimate that at least 5 million disabled persons may be eligible for assistance.

Other problems the handicapped person faces each day include availability and access of recreation and transportation facilities, architectural barriers in residences and other buildings, and many, many more.

#### STILL A PROMISING OUTLOOK

We in America are still far from the half-way point of assuring that every handicapped person can become as active and useful as his capacities will allow. The outlook for the handicapped person in 1969, however, is not altogether bleak. Unparalleled achievements in medicine, science, education, technology as well as in public attitudes have cemented a framework in which the handicapped person today has more opportunities available to him than ever before. Consider first what government is doing.

#### THE GOVERNMENT STORY

The story of what the Federal Government, hand in hand with State govern-

ments, is doing to help meet the needs of the handicapped is not one that draws the biggest and boldest headlines. Broadly, the story is a "good" one, consisting of achievements in financial assistance, rehabilitation, research, education, and training of the handicapped—a massive effort to help many disabled Americans live as normal, as full and rich lives as possible.

It is, in part, the story of a man who, at age 21, became a paraplegic after sustaining injuries to his spinal cord and head in an accident while on the job.

In 1968, he joined over 2,300,000 other disabled men and women who have been restored to more productive, useful lives since the State-Federal vocational rehabilitation program began 48 years ago.

In 1964, the young man—a high school dropout with a wife and child—was referred to his State's division of vocational rehabilitation where a thorough program of total rehabilitation began. In addition, he was enrolled in a training school and was graduated as a fully licensed insurance agent.

Today—4 years later—he has his own successful insurance business. He and his wife have built a new home and adopted a baby.

It is a measure of America's concern for its handicapped citizens that even 50 years ago, this story could not have been told.

It takes place now because the Congress and the Federal Government initiated and guided a vital, vigorous program of vocational rehabilitation.

Mr. President, vocational rehabilitation is one of many ways the Federal Government works to aid the handicapped. But none of the Federal programs necessarily reaches or helps every handicapped person.

Nevertheless, the role of the Government has been basically successful in terms of numbers assisted, basic research performed, and the movement of increasingly large numbers of persons into more productive, satisfying channels. It demonstrates what Congress and Federal and State governments are doing to help America's handicapped better participate and achieve.

Mr. President, at this point, I ask unanimous consent to have printed in the Record, at the close of my remarks, a brief summary of Federal programs for the handicapped.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

#### THE PRIVATE SECTOR

Mr. DOLE. Mr. President, it is in the American tradition and spirit that parallel to Government effort there has developed the vital and growing effort for the handicapped by individuals, business and industry, churches and private, voluntary organizations. It is a herculean task to properly assess the many, far-reaching effects of the private sector—in health care, education, employment; in research, rehabilitation, by fundraising drives and through professional organizations and groups for the handicapped themselves. But it is here in the private sector—with its emphasis on the creativity, concern, and energies of our people—that America has become the

envy of the world. Our private economy and the resources of our people have combined to improve the quality of life in America in ways and for persons the Government could not begin to match or reach.

For the handicapped, their achievements have been no less. I shall not today, detail or single out the achievements of the voluntary groups and private enterprise involved in aiding the handicapped. But let the record show that without the sincerity, scope, and success of their efforts—in public information, employment and training, in upgrading health care and education personnel and facilities, in fundraising and in supporting research to conquer or at least minimize the effects of handicapping conditions—the prospects for the handicapped individuals would not be as hopeful as they are today.

#### WHERE DO WE GO FROM HERE?

Mr. President, as new public and private programs are developed, as old ones are strengthened and some, perhaps eliminated, as we in Congress allocate comparatively limited funds to help the handicapped, the responsibilities and opportunities loom large before us.

We must insure our efforts and money are not misplaced or misdirected—that they do not just promise, but really do the job.

Are we all doing our best to see that all the knowledge, information, money, and other help is consolidated and available to the handicapped person in the form he can use and at the time and place he most needs it?

Is there sufficient coordination and planning between and among the private groups and the Government agencies to avoid multiplicity and duplication so that we best serve America's handicapped?

Are we sometimes engaged in a numbers race—attending to cases that respond more quickly in order to show results to donors, members, and taxpayers, thus sacrificing some attention which should be focused on the really tough problems?

Many handicapped persons of our Nation are no longer helpless or hopeless because of private and public efforts which have helped them to better help and be themselves.

But the fact remains that some of our Nation's handicapped and their families are attacking the very programs and projects created to help them.

Some are disillusioned and disaffected by the programs.

Too often, the information, the services, the human help and encouragement are not reaching the person for whom they were intended and at the time and place he needs them.

Some sincerely believe there may be better ways we can demonstrate our concern and thereby better achieve for the person with handicaps the independence, security, and dignity to which he is entitled.

I am reminded of a statement given recently by the 1968 president of the National Rehabilitation Association:

It is the person, not the program that is of overwhelming importance. It is not the disability that claims our attention, it is the person with handicaps. It is not the main-

tenance of prestige of a particular profession that matters. It is the contribution of the profession to solving the complex problems of the individual who has handicaps.

When more of this emphasis on the individual better influences the agencies and professions dealing with the handicapped, I believe we can begin to open new, more meaningful vistas for more persons with handicaps.

We have been involved in efforts which have been creditable to date. Of this, there is no doubt.

But are we doing our best?

A highly respected official of the U.S. Department of Health, Education, and Welfare summed up the problem this way:

I do not feel we are spending our dollars—public or voluntary—as effectively as we could. We need to take a whole new look at what is going on, where the service is given. We need to try to design new methods and clearer purposes for our efforts. We need to relate our efforts more closely to the needs of a community, to the needs of its individuals. And we need to try to measure, as concretely and specifically as possible what is actually achieved by our expenditures.

Our handicapped citizens are one of our Nation's greatest unmet responsibilities and untapped resources. We must do better.

#### PRESIDENTIAL TASK FORCE

With this in mind, I suggest the creation of a Presidential task force or commission to review what the public and private sectors are doing and to recommend how we can do better.

Composed of representatives of the public and private sectors, this task force or commission could provide an overview of how to provide the handicapped more help and hope.

Such a task force or commission could provide valuable assistance to Congress and the administration as we develop programs and allocate comparatively limited funds for the handicapped.

It could also help private organizations and voluntary groups conduct their efforts more efficiently and effectively.

The goal of a task force or commission, to achieve maximum independence, security, and dignity for the individual with handicaps, should encompass the total needs of the handicapped, not just employment or education or any other.

Rather the task force or commission should concern itself with the whole broad spectrum of needs and services, because as I have pointed out the problems of the handicapped do not begin and end with the handicap itself.

Although there are hundreds of areas a task force or commission could review, I am hopeful, if created, it would include the following subjects:

First. Expansion of employment, transportation, and recreation opportunities for the handicapped.

Second. A directory or central clearinghouse to help inform the handicapped person and his family of available public and private assistance.

There are many helpful handbooks and information sources available. But most are not comprehensive and are more accessible to professionals in the field than to the handicapped who really need the guidance and information.

Third. Removal of architectural barriers.

Many persons cannot secure employment or fill their leisure hours because their disabilities bar use of the facilities. It is just as easy to build and equip buildings so that the handicapped and unhandicapped can use them. The Federal Government is doing this now for federally financed structures.

Fourth. More development of health care on a regional or community basis.

This is a tough, but priority matter and one which cannot be accomplished quickly or inexpensively. But we must begin to move toward more adequate health care facilities and personnel which serve each person at the time and place he needs them.

Fifth. Better serving the special educational needs of the handicapped.

Both the person and the Nation suffer when any educatable child—handicapped or unhandicapped—does not receive an education.

Sixth. Income tax deductions and/or other financial assistance to extend relief to more handicapped persons and their families.

Seventh. More attention on the family of the handicapped person.

These are the people who often need a degree of encouragement, counseling, and "rehabilitation" themselves. Are there services we should provide to family members whose own lives and resources are deeply affected by the presence of a handicapped person?

Eighth. Increased dialog and coordination between private and voluntary groups and Government agencies to avoid multiplicity and duplication.

What is at stake is not the agency, group, or program. What is at stake is the future of the handicapped person with his own abilities and potentialities.

#### CONCLUSION

This, then, Mr. President, is the sum and substance of my first speech in the Senate.

I know of no more important subject matter, not solely because of my personal interest, but because in our great country some 42 million Americans suffer from a physical, mental, or emotional handicap. Progress has been and will continue to be made by Federal and State governments, by private agencies, and individual Americans; but nonetheless there is still much to be done, if the handicapped American: young, old, black, white, rich, or poor is to share in the joys experienced by others. The task ahead is monumental, but I am confident that there are forces in America ready and willing to meet the challenge—including, of course, many of my distinguished colleagues who by their acts and deeds have demonstrated their great interest.

#### EXHIBIT 1

##### FEDERAL PROGRAMS FOR THE HANDICAPPED DISABLED VETERANS

The program of services for disabled veterans as we know it today began with enactment of the Soldier Rehabilitation Act, which was passed unanimously by Congress June 27, 1918 (P.L. 178, 65th Congress). Under this law, the Federal Board for Vocational Education, created by legislation the year before, was authorized to organize and offer vocational rehabilitation programs for disabled veterans.

The program was finally closed out July 2, 1928. In the program's 10-year existence, about 675,000 veterans applied for training. About 330,000 completed their courses satisfactorily and were considered rehabilitated, and about 98 percent of them were employed at the time their training was completed or terminated.

Soon after the U.S. entered World War II, planning began for vocational rehabilitation programs for disabled servicemen returning from that war.

On March 13, 1943, after much discussion over whether the veterans program should be allied with the civilian vocational rehabilitation program, the House passed a bill authorizing a separate veterans' program. It was signed into law 11 days later as P.L. 16, 78th Congress, and covered veterans who served in the armed services between Pearl Harbor Day, December 7, 1941, and the declared end of the war. This legislation set into motion an effort which, before termination, benefited several hundred thousand disabled veterans.

When the U.S. entered the Korean conflict, the Congress enacted legislation to insure that the men who fought there could receive the same services as World War II veterans. By 1955, about 36,000 Korean veterans had received vocational rehabilitation training for service-connected disabilities.

Later legislation made it possible for veterans disabled after the conclusion of the Korean conflict to receive rehabilitation and other services of the Veterans' Administration. This includes peace-time veterans and the veterans of the Vietnam war. In 1968 alone, 5,192 veterans participated in vocational rehabilitation training, bringing the total number since the program began to 721,000.

Disabled veterans who need prosthetic and sensory aids can obtain them from the Veterans Administration. In 1968 prosthetic appliances and services were furnished to about 465,000 disabled veterans, including 5,400 Vietnam veterans. Approximately \$10.2 million was spent in 1968 for the procurement and repair of prosthetic and other related appliances.

Last year, too, requests for grants were approved to help pay for special automobiles for 2,850 veterans because of loss of hands or feet or severe eye impairment. Expenditures for this benefit in 1968 totalled almost \$3.5 million, bringing the total cost to \$83.6 million since this program was enacted in 1946.

Another special benefit for disabled veterans is the grant program for acquiring specially-adapted housing for those who need braces, crutches, canes, or wheelchairs. Grants totaling \$4.4 million were made to 460 veterans in 1968. Since the program began in 1948, 9,705 grants at a cost of \$92.7 million have been awarded.

With the creation of a new Department of Medicine and Surgery December 31, 1945, the Veterans Administration set in motion a new pattern of care and rehabilitation service for sick, injured and disabled veterans entering VA hospitals. A special rehabilitation service was developed; selected hospitals were specially staffed and equipped for certain disabilities such as spinal cord injury, blindness, epilepsy, amputation and other conditions.

#### PROGRAMS FOR DISABLED CIVILIANS

A rehabilitation program for disabled civilians was not enacted simultaneously with the veterans' program because of opposition that it was not practicable and also not the responsibility of the Federal Government.

Two years later—June 2, 1920—President Wilson signed into law the Civilian Vocational Rehabilitation Act (P.L. 236, 66th Congress). The bill, known as the Smith-Fess Act, is one of the oldest grant-in-aid programs for providing services for individuals. At that time, services under the act, were confined to counseling, job train-



ing, artificial limbs and other prosthetic appliances, and job placement. It provided for an appropriation of \$750,000 for fiscal year 1921 and \$1 million for fiscal years 1922 to 1924 and for payments to States cooperating in vocational rehabilitation of persons disabled in industry. Federal funds were to be matched by the States and were not to be used for institutions for handicapped persons except when individuals entitled to benefits of the act, required special training.

In its first year, the vocational rehabilitation program helped rehabilitate 523 disabled persons. Authorization for the program was renewed by Congress several times until 1935, when the Social Security Act included permanent authorization. This action demonstrated the consensus of congressional thought that vocational rehabilitation should be a permanent program in the United States. Continuing to grow, the program rehabilitated 11,890 persons in 1940.

The entry of the United States into World War II caused a manpower shortage which gave disabled persons who had been rehabilitated an opportunity to show the nation that the disabled could be productive, capable workers. Many employers began calling for more rehabilitated workers than the vocational rehabilitation program, despite its success, was prepared to provide. For more than 20 years since its enactment, the program had been limited in scope and uncertainly financed. Some States had excellent programs, but many did not. Development on a national scale had been uneven.

Legislation in 1943 helped solve some of these problems, and other legislation in later years helped to shape it into the more meaningful and effective program it is today.

In 1943 after an attempt to combine the Veterans' and civilian vocational programs was defeated, the Vocational Rehabilitation Act Amendments of 1943 (P.L. 113, 78th Congress) were signed into law. The 1943 law superseded the 1920 legislation and broadened the vocational rehabilitation program—more liberal financing, increased State services, and broadened the concept of rehabilitation.

Rehabilitation services were extended to the mentally handicapped and the mentally ill. Separate State agencies for the blind were incorporated into the Federal-State rehabilitation program. In addition, the now 50 States, and Puerto Rico were all placed on the same footing with respect to Federal grants. An improved provision of the 1943 law was coverage for specified corrective surgery or therapeutic treatment necessary to reduce or eliminate a disability. Administration of the program was transferred from the Commissioner of Education to the Federal Security Agency. In 1950, 59,597 persons were rehabilitated.

There were problems, however. Partly because the financial system was becoming inadequate and because there was no provision for research, professional training, and other features, essential progress was not being made.

Legislation in 1954, supported by President Eisenhower, was an effort to remedy these problems. While retaining the basic pattern of services, the 1954 amendments (P.L. 565, 83rd Congress) made sweeping improvements. They included provisions for research, demonstration, and training activities. The Federal share was increased on a formula basis, to give greater support to States with relatively large populations and relatively small per capita income. It initiated a new system of project grants for improvement and extension of services. For the first time, the use of Federal grants to expand, modernize and equip rehabilitation facilities and workshops was also authorized.

In 1954, Congress also amended the Hill-Burton hospital survey and construction act to provide Federal grants to help construct rehabilitation facilities.

While in 1960, 88,275 persons were rehabilitated under the vocational rehabilita-

tion program, by 1965 it had mushroomed to over 135,000 persons.

The 1965 amendments to the vocational rehabilitation act (P.L. 89-333) were designed to bring the public and voluntary agencies into a closer working alliance. It expanded and enlarged the program by broadening its legal and financial base. Services to the severely disabled, the mentally retarded, the deaf, and other handicapped individuals were increased. A national commission on architectural barriers to rehabilitation of the handicapped was established. Federal financial support was extended to local areas for funding more vocational rehabilitation programs. In a drive to build more rehabilitation facilities and workshops, funds were authorized for a comprehensive program to improve the workshops and to construct more vocationally-oriented rehabilitation facilities. Grants to States to conduct comprehensive State-wide planning by agencies designated by the Governors were also provided.

In 1967 Congress took further steps to improve rehabilitation programs for the Nation's disabled. The 1967 amendments (P.L. 90-99) extended and expanded grant authorizations to States for rehabilitation services. Provisions were made to establish a national center for deaf-blind youth and adults and to extend services to disabled migrants, and their families. In addition, the 1967 amendments required State agencies to provide services to the handicapped without regard to their residence locations.

Finally, just this past year, Congress passed another bill amending the vocational rehabilitation program. The bill increased the Federal share for basic support of State programs from 75 to 80 percent, beginning in fiscal 1970, and established a minimum allotment of \$1 million for each State to increase efficiency, expand services, and reach more clients. The 1968 amendments (P.L. 90-391) also extended programs of grants for innovation, for special projects and for rehabilitation facilities construction and staffing.

The bill established a new vocational evaluation and work adjustment program to serve those who are disadvantaged by such reasons as physical or mental disability, youth, advanced age, low educational attainment, ethnic or cultural factors, or prison or delinquency records, especially in association with poverty.

Evaluation may include preliminary diagnostic studies to determine whether the individual is disadvantaged, has or will have an employment handicap, and needs rehabilitation services. Work adjustment services include appraisal of the individual's pattern of work behavior and development of work habits, work tolerance, and social and behavior patterns suitable for successful job performance.

Establishment of the social and rehabilitation service in 1967 also brought about an expansion of the Federal Vocational Rehabilitation Agency, and its transfer to the Division of Mental Retardation, under the newly-named Rehabilitation Services Administration. In 1961, President Kennedy appointed the President's Panel on Mental Retardation and gave them a mandate to recommend a national plan to combat mental retardation.

The Maternal and Child Health and Mental Retardation Planning Amendments of 1963 (P.L. 88-156) carried out several recommendations of the panel. This act provided funds to assist the States in planning comprehensive State and community programs for the mentally retarded. The Social Security Amendments of 1965 (P.L. 89-97) extended comprehensive planning grants to the States, enabling implementation of their comprehensive plans to combat mental retardation.

The Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (P.L. 88-164) author-

ized grants to States to construct facilities to serve the mentally retarded. It also provided grants to assist in construction of university-affiliated facilities to provide an interdisciplinary approach for clinical training of specialized personnel and for demonstration of new service techniques.

The Mental Retardation Amendment of 1967 (P.L. 90-170) extended these two programs and established a new grant program to pay part of the compensation of professional and technical personnel in community facilities for the retarded, for initial operation of new facilities, or of new services in a facility. Projects have been approved for construction of 242 community facilities to serve over 63,000 retardates.

In 1963, Congress authorized the hospital improvement program to support projects to improve services in State mental retardation institutions. This program is assisting about 100 of the 169 existing facilities.

The Vocational Rehabilitation Amendments of 1968 (P.L. 90-391) authorized projects for rehabilitation of mentally retarded persons not eligible for vocational rehabilitation due to age, severity of handicap, or other reasons. The first appropriation for this program is being requested for 1970.

Today, there are 90 rehabilitation agencies with 800 offices operating nationwide and in four territories. They serve nearly 700,000 handicapped persons each year at a State-Federal cost of over a half-billion dollars.

#### PROGRAMS FOR THE BLIND

One of the first pieces of legislation providing Federal aid for handicapped persons was approved March 3, 1879, under the title "An Act To Promote the Education of the Blind." This law set up a perpetual trust fund of United States Bonds, the income from which, in the amount of \$10,000 a year, would go to the American Printing House for the Blind in Louisville, Kentucky, so that books and other materials could be distributed among the schools for the blind throughout the country. Subsequent amendments gradually increased the authorization for this program. In 1956, it was \$410,000 a year. Then in 1961, Congress removed the ceiling from the annual appropriation and made it an amount to be determined by Congress. In fiscal year 1968, the printing house served some 19,000 blind children with books and other teaching materials at a cost of \$1.5 million.

The printing house was originally designed to serve blind children. In 1931, Congress enacted the so-called Pratt-Smoot Act (P.L. 787, 71st Congress) to "Provide Books for the Use of the Adult Blind Residents of the United States." This legislation formed the basis for the Federally-supported library service to the blind vested in the division for the blind and physically handicapped in the Library of Congress.

In 1933, an amendment to the act made available for distribution talking books, or phonograph records, in addition to the Braille books already used.

As commercial firms became interested in producing talking book records, a 1939 amendment gave preference to "nonprofit-making institutions or agencies whose activities are primarily concerned with the blind." A 1942 amendment provided maintenance and replacement of talking book machines as well as the talking books.

Then in 1952 Congress enacted an amendment removing the word "adult" from the act, clearing the way for blind children to also benefit from the program. In 1966, another amendment extended the program to include other physically handicapped persons. In 1968, 140,000 handicapped readers received catalogs from which to select reading matter and circulation of the containers, and reels, and volumes, was over 5,265,000. The expenditure for the program in 1968 was \$5.6 million.

One aspect of the vocational rehabilitation program is the emphasis given to adjustment,

training, and placement of blind persons in competitive employment. Attention was first focused on this severely disabled group as a result of the passage of P. L. 113 in 1943.

The amendments to the vocational rehabilitation act in 1954 made a limited amount of training and research money available, so employment opportunities for blind workers have been greatly expanded. In 1968, 6,800 blind and 12,000 visually-limited persons were placed in a variety of occupations. In addition, special workshops for the blind now employ approximately 5,000.

Another phase of employment for the blind was made available through the provisions of the Randolph-Sheppard Act (P. L. 732) in 1936 which gave preference for operation of snack bars, vending stands, and other facilities of Federal properties to qualified blind persons. Installation of facilities, training, and supervision of blind operators are responsibilities of the State licensing agencies. In 1968, 3,259 blind persons earned \$16.6 million, an average of \$5,580 per operator.

#### EDUCATION OF THE HANDICAPPED

In 1864 President Abraham Lincoln signed into law a bill establishing a national college for the deaf later to be known as Gallaudet College, and in 1879, Congress enacted legislation giving federal financial aid to the American Printing House for the Blind. Unfortunately, these two programs were the extent of Federal aid for education of handicapped children for the next three quarters of a Century.

In 1954 Congress enacted the cooperative Research Act (P. L. 83-531) for research grants in education. In 1957, \$875,000 of the \$1 million appropriated under the Act was earmarked to be spent on research on education of the mentally retarded.

In 1958 Congress passed the captioned films for the Deaf Program (P. L. 85-905). Originally aimed at cultural enrichment and recreation, amendments in 1962 and 1965 broadened the program into a flexible, comprehensive instructional program for the deaf, including teacher training. 1967 legislation extended the program to include all handicapped children requiring special education.

Legislation in 1958 (P. L. 85-926) authorized grants to educational institutions to help train professional personnel to train teachers of mentally retarded children. In 1961, Congress enacted legislation authorizing support for training classroom teachers of the deaf (P. L. 87-276).

In 1963, these programs for training personnel to work with handicapped children were expanded to include teachers of children who are "hard of hearing, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired," as well as mentally retarded and deaf. The same legislation (P. L. 88-164) authorized grants for research and demonstration projects in education of handicapped children. A 1965 amendment to this program authorized construction, equipping, and operation of facilities for research and related purposes.

The year 1965 saw enactment of a great body of legislation to aid in the education of handicapped youngsters. The Elementary and Secondary Education Act (P. L. 89-10) provided programs through local education agencies to reach handicapped children in low income areas. It also provided support for supplemental services including special instruction for the handicapped and for innovative programs. A 1965 amendment to this act (P. L. 89-313) provided grants to State agencies directly responsible for educating handicapped children. This brought assistance to State-operated or State-supported schools for the deaf, retarded, etc., not eligible under the original act.

Also in 1965 Congress enacted the National Technical Institute for the Deaf Act (P. L. 89-36) authorizing establishment and operation of a postsecondary technical training facility for young adults who are deaf. This

institute, which is being established at the Rochester Institute of Technology, Rochester, New York, complements Gallaudet College, which provides a liberal arts program.

1966 saw more legislation for education of the handicapped. There was the Model Secondary School for the Deaf Act (P. L. 89-694) which created a model high school as part of Gallaudet College to serve deaf children of the Washington, D.C. area. Planned to offer a full curriculum and the normal extracurricular activities of high schools, this model high school for deaf children may lead to formation of other similar schools throughout the country.

Also in 1966, Congress passed further amendments (P. L. 89-750) to the Elementary and Secondary Education Act, which authorized funds to assist the States in improvement of programs and projects for the education of handicapped children at preschool, elementary, and secondary levels. The 1966 amendment also required establishment of a National Advisory Committee on Handicapped Children to make recommendations concerning programs carried on for handicapped children by the Office of Education.

In addition, the Congress undertook a bold precedent, establishing the Bureau of Education for the Handicapped to administer all Office of Education programs for the handicapped. The Bureau of Education for the Handicapped has made major strides in stimulating a local, State and Federal partnership for improvement of education for handicapped children.

The 1967 amendments to the Elementary and Secondary Education Act further broadened and extended the program of services to the handicapped. Regional resource centers were authorized to determine special education needs of handicapped children referred to them, develop educational programs to meet these needs, and assist schools in providing such programs. The 1967 legislation also authorized establishment and operation of centers for deaf-blind children, programs designed to improve recruiting of educational personnel and to improve dissemination of information on educational opportunities for the handicapped.

The 1967 Mental Retardation amendments (P. L. 90-170) provided support for training professional personnel and for research and demonstration activities in physical education and recreation for mentally retarded and other handicapped children.

The most recent piece of legislation for education of handicapped children was enacted in the Handicapped Children's Early Education Assistance Act of 1968 (P. L. 90-538). It authorizes grants to public and private agencies and organizations for establishment of experimental preschool and early education programs which show promise of developing comprehensive and innovative approaches for meeting special problems of handicapped children. This legislation recognizes that the most rapid learning period comes in the years before school traditionally begins. The programs engendered by this legislation should do much to identify handicapped children early and to help give them a better start toward full, productive lives.

#### EMPLOYMENT OF THE HANDICAPPED

Once a handicapped person is rehabilitated and able to support himself, he often encounters tremendous difficulties in securing meaningful employment. A case is not considered closed, in the vocational rehabilitation program, until the disabled person is on the job, and has satisfactorily adjusted in the eyes of both the disabled person and his employer.

For many reasons, employers are reluctant to hire the handicapped. The Federal Government is trying to change this attitude among employers and the public and has met with some success.

In addition to the placement program of

the vocational rehabilitation program, the Bureau of Employment Security, through State and local employment services, provides direct employment counseling and assistance to physically and mentally handicapped persons seeking work. Public information and educational activities directed toward employers and labor organizations are part of the effort made under these programs. Selective placement techniques are also used to help match the physical demands of a job to the physical capacities of a worker.

The President's Committee on Employment of the Handicapped, a voluntary group of about 600 men and women, has made great accomplishments in the past 20 years to promote greater employment opportunity for qualified handicapped men and women. Operating within the Department of Labor and within a budget that until last year had a ceiling of only a half million dollars, the Committee maintains working relationships with the 53 cooperating governor's committees, and with the various Federal Departments, Agencies, and Commissions. The Committee works to help assure that the handicapped are considered for their abilities, and to help facilitate development of maximum employment opportunities for them. The peak of its activity, although it goes full steam throughout each year, is in the first full week of October, National Employ the Physically Handicapped Week.

The Department of Labor is also involved in training the handicapped. Enactment of the Manpower Development and Training Act in 1962 widened the opportunity for the Department to develop meaningful training programs for handicapped workers. It was estimated that by the summer of 1968, well over 25,000 handicapped persons had received training under MDTA and over 20,000 of those had already obtained jobs.

#### HOUSING FOR THE HANDICAPPED

The Federal Government is involved in several programs concerned with housing for the handicapped or disabled. The Housing Assistance Administration of the Department of Housing and Urban Development provides loans and contributions to local housing authorities which, in turn, provide decent, safe, and sanitary housing for low-income families at rent they can afford. Handicapped persons of limited income are among those eligible for benefits under this program, established by the U.S. Housing Act of 1937 (P. L. 75-412).

The Housing Assistance Administration also provides low-interest, long-term loans to private nonprofit corporations, consumer cooperatives, and public agencies for new and renovated rental housing, dining facilities, community rooms, and workshops for the elderly and the handicapped whose incomes are above the levels set for admission to public housing projects, but below that needed to pay rents for available private housing. This program was enacted by the Housing Act of 1959 (P. L. 86-372).

The Housing Act of 1961 (P. L. 87-70) established a grant program for public and private groups to develop new or improved means of providing housing for low-income persons, the physically handicapped, and families. Demonstration of means to provide housing is specifically authorized by this legislation.

The Housing and Urban Development Act of 1965 (P. L. 89-117) authorized rent supplement payments to help assure privately-owned housing is available to low-income individuals or families of low income. The handicapped are among those eligible for this program if their income does not exceed the maximum amount established in the area for occupancy of federally-aided, low-rent public housing.

#### ARCHITECTURAL BARRIERS

Related to housing, Congress in 1968, passed legislation to insure that certain buildings financed with Federal funds are



designed and constructed to be accessible to the physically handicapped (P.L. 90-480). This legislation applies to any public buildings constructed in whole or part with Federal funds. The only exceptions are privately-owned residences and buildings or facilities on military installations intended primarily for use by able-bodied military personnel.

This legislation was passed after recommendations were made by the National Commission of Architectural Barriers to Rehabilitation of the Handicapped, authorized by the Vocational Rehabilitation Amendments of 1965 and appointed by the President in 1966.

The legislation should spur States and local governments to enact legislation and regulations so that all public buildings, not only those built with Federal funds, will be so constructed that the disabled will be able to fully utilize them. Some 45 States have laws or resolutions already, but many of them are not strong enough to have much effect. Only a few municipalities thus far have taken similar action.

#### ASSISTANCE FOR THE NEEDY BLIND AND TOTALLY DISABLED

The Federal Government is involved in programs of support for needy blind persons and for permanently and totally disabled persons through social security legislation enacted in 1935 and 1950. Under these public assistance programs, the Government provides grants to States and the States, in turn, provide three forms of assistance: cash payments for food, clothing, shelter, and other basic needs; medical or remedial care recognized under State law, through payments directly to hospitals, physicians, dentists, and other providers of care; and social services, such as counseling on personal problems, help in finding better housing, referral to community resources, and homemaker services.

These programs are available to needy blind persons so that they may attain or retain their self-support or self-care capability and to people over age 18 who cannot support themselves because they have a permanent and total physical or mental impairment.

In 1967 the number of persons receiving aid to the blind in the States and territories with programs in operation totaled over 82,000. Combined, total expenditure of local, State, and Federal funds for this purpose was over \$86.9 million, and the average payment for all individuals participating nationwide was \$90.45 per month. Under the program for the permanently and totally disabled, there were 646,000 recipients receiving a total of \$573.5 million, averaging \$80.60 per monthly payment.

#### SOCIAL SECURITY DISABILITY INSURANCE

The basic social security program which provides benefits to the worker when he retires also provides cash benefits to covered disabled workers under age 65 and to their dependents for as long as the worker is unable to engage in "substantial gainful activity." In 1967, over two million disabled workers and dependents received social security cash benefits totalling over \$147.8 million. Under the 1965 social security amendments, use of trust funds was authorized to pay the cost of rehabilitation services provided by the State vocational rehabilitation agencies to certain disability insurance beneficiaries.

The "Medicare" Act passed in 1965 included a little-publicized but valuable new arrangement for restoring more disabled people: It authorized the Social Security Administration to transfer from trust funds for retirement and disability benefits certain amounts for vocational rehabilitation services to disabled workers receiving social security benefits. A limit of one percent of the total benefits being received placed a control on how many funds could be transferred each year. These funds are used by the Federal-State

Vocational Rehabilitation Program to pay for services to disabled beneficiaries, most of whom can be restored to activity and work, thereby resuming their payments into the trust funds. For this year, \$18,077,000 was transferred for this work.

#### SUMMARY

The above Federal programs have been described briefly and quite possibly some programs may have been unintentionally overlooked in our research.

At any rate, the summary may be of assistance to those interested in the problems and programs concerning handicapped Americans.

Mr. PEARSON. Mr. President, I should like to express great pride in, and ask to be associated with this most excellent statement just made by my distinguished colleague. He speaks of a problem which, in his own words, affects every person in our society and every fiber of our Nation.

Here is, then, a definition coupled with a solution and, treated with sympathy and yet with reason, an approach, I am sure, that will yield to progress.

I think that one point he so clearly set forth is the challenge. That is when he asked all of us:

Are we doing our best to see that all the knowledge, the information, and money, and other help is consolidated and available to the handicapped person in the form he can best use and in the time and place he needs it most?

I think he answered that question by saying a little later on that we must do better. He makes a proposal which is specific in its recommendations, and is an enormous contribution, I think, to a very great problem.

I look forward to the other proposal that he shall be making in the days ahead in regard to what is, really, one of the great problems facing this country in the last third of the 20th century.

I congratulate my distinguished colleague. I am very much pleased to see here today when he makes his first speech in the Senate.

Mr. COTTON. Mr. President, will the Senator from Kansas yield?

Mr. DOLE. I yield.

Mr. COTTON. Mr. President, I should like to join my friend, the other distinguished Senator from Kansas (Mr. PEARSON), in commending the distinguished Senator from Kansas (Mr. DOLE) for his contribution this afternoon.

I have served in this body many years. I do not know that I have ever heard a new Senator make a greater contribution in what he characterizes as his first speech in this body.

He talked on a subject which is close to the hearts of all Americans. This country has grown so fast, with over 200 million people in it, with a huge Government requiring complicated machinery, that it is a supertask for us to try to see that some of the less fortunate people in this country are not ground under the wheels of the massive instrument that we have played our part in creating.

I predict for the junior Senator from Kansas a long and distinguished career. I venture to say that although his contributions, I am sure, will be great, he can always remember with pride the fact that his first contribution was on a subject which is so important to all Americans.

As a Member of the Senate, I join in congratulating the distinguished Senator from Kansas on the masterly speech he has just delivered.

Mr. MATHIAS. Mr. President, will the Senator from Kansas yield?

Mr. DOLE. I yield.

Mr. MATHIAS. Mr. President, I should like to join the senior Senator from Kansas (Mr. PEARSON) and the Senator from New Hampshire (Mr. COTTON) in commenting on the speech which the junior Senator from Kansas (Mr. DOLE) has just completed—a speech which addresses itself to a problem which is becoming increasingly felt as one of the serious problems in America today. The subject has a humanitarian impact because it deals with the problems of the individual, but it also has a social and economic impact because it affects the way in which we, as a nation, deal with problems that touch the lives of so many of our citizens.

The Senator has treated the subject in great depth, with thoroughness, and with understanding. I can only say that this is typical of him. He and I entered the other body on the same day. We came to the Senate on the same day. I have known him very well in the intervening years.

The remarks of the junior Senator from Kansas today are evidence of the promise of the enormously valuable service which he will render in this body as the years pass by.

I wish to express my appreciation to him for his valuable contribution.

Mr. DOLE. Mr. President, I thank my distinguished colleagues for their patience and their kind remarks.

Mr. HRUSKA. Mr. President, the junior Senator from Kansas is to be commended for his statement today on problems faced by the handicapped. This statement, in many ways, typifies the man who made it. It is well prepared, thoughtful, and above all, it is a warm and human examination of the problem.

The Senator from Kansas, during his four terms in the House of Representatives, established himself as a man who truly cares about people and does his best to aid them. His emphasis is not on statistics, but on the people involved. This is as it must be. The dollars spent, the programs generated, mean nothing unless they benefit those in need.

The problem of aiding the physically, mentally, or emotionally handicapped is not one to be solved by government alone. In the end it is people who must help. People will provide jobs, training, and dignity. A partnership of government, local and national, and the private sector of our economy is the wise way of approaching the question of assistance to the handicapped. It is the way highlighted by the able Senator from Kansas.

There is one final point I wish to make, Mr. President. In mentioning specific causes of disability, there is one the Senator from Kansas left out—service to our Nation. A great number of our citizens have made the sacrifice of health and well-being for the cause of peace. The distinguished Senator knows well the problems of which he speaks today. He knows the vitality that remains in the human soul despite injury to the body. He has demonstrated how well a

man can serve his country despite a handicap.

Mr. President, I congratulate the junior Senator from Kansas on his fine remarks to the Senate.

Mr. DOLE. I thank the Senator from Nebraska.

#### UTAH GIRL WINS ABILITY COUNTS CONTEST

Mr. BENNETT. Mr. President, for the third time in the last 5 years, a Utah high school girl has been named national winner of the Ability Counts Contest, sponsored by the President's Committee on Employment of the Handicapped.

Taking top honors in the 1969 contest is Miss Kathy DeAnn Saxton, 17, of Ogden. She won in competition with upper class high school students from 47 States, the District of Columbia, and the Virgin Islands, all writing on "What Every Employer Should Know About Handicapped Workers."

In 1965, Marilyn Dautrich, of Salt Lake City's Granite High School, won first-place honors in the essay contest. The following year her sister, Ann, won the same honor. The back-to-back winning by sisters was unprecedented in the contest's history.

This year's winner, Miss Saxton, is a junior at Bonneville High School, in Ogden. Along with first-place State winners, she will come to Washington during May to meet with the President's Committee, and to receive her \$1,000 national award, contributed by the Disabled American Veterans.

The Ability Counts Contest is aimed at making us aware of the problems faced by the handicapped in obtaining employment, and the many high achievements of severely disabled persons.

Miss Saxton's excellent paper, which was written after a good deal of research into the problems faced by the handicapped, what is being done to meet these problems, and personal interviews with disabled Utahans, shows what can be accomplished to tap the potential of these citizens.

As she says in her theme:

It is our duty and our opportunity to help give the disabled a chance to prove their own worth and retain their dignity. To produce useful and lasting citizens, rehabilitation of both employer and employee must take place from the shoulders up.

I ask unanimous consent that the essay be printed in the RECORD.

There being no objection, the essay was ordered to be printed in the RECORD, as follows:

#### WHAT EVERY EMPLOYER SHOULD KNOW ABOUT HANDICAPPED WORKERS

(By Kathy DeAnn Saxton)

There are nearly eight million disabled people in our country. We have a responsibility to assure each American a prosperous life. The hiring of the disabled can prove to be as beneficial to the employer as the employee. Our society can, and will help find employment for these Americans.

In ancient times evil spirits were thought to cause disease. The physically handicapped or mentally retarded persons were given as sacrifices to the gods. If a child were born deformed in ancient Greece or Rome, he could be killed at birth.

Americans of our generation have placed a great emphasis on a beautiful body with

no physical or mental deformities. When people see an individual who is different from themselves, they look at him with sympathy. Our society treats him with special kindness, often sympathizing instead of encouraging.

The United States Constitution promises justice and equality for all. This means all God's children, including the disabled as well as the rich and healthy. We, therefore, cannot deprive any citizen of the right to a prosperous and happy life.

In recent times Americans have found that the disabled need to be an integral part of our working force. The late President John F. Kennedy has said, "The Federal Government shall lead the way in employment of the disabled." Former Vice President Hubert H. Humphrey has said, "We are an affluent country, enjoying full employment and unprecedented prosperity; but we are not so rich that we can be prodigal with any human resources. Our handicapped must be enabled to participate fully in every phase of society. We simply cannot afford the economic loss of their wasted ability."

Statistics have shown that, if we could employ 700 rehabilitants a year and bring their average earning capacity to \$3,000 a year over an average earning period of twenty-five years, the earnings would total \$52,500,000. When one adds the earnings to those rehabilitated in the succeeding years of the twenty-five year period plus the savings in welfare, the figure is phenomenal.

If one looks at people with the capacities they have and judge them on how well they use these capacities, one will see each person as an individual. A disabled person has the capacity and is capable. Both the employers and the employee must be educated to the fact that a disabled person can compete if given a chance.

In the 1950's an employer would probably hire a non-handicapped worker over a disabled person because the insurance and workmen's compensation were such that to do otherwise just wasn't good business. Today an employer cannot use this excuse. In the American Insurance Association booklet, *The Physically Impaired—A Guidebook to Their Employment*, it states, "The formula for determining workmen's compensation insurance rates do not consider an employee's physical defects. No higher rate is charged because physically impaired workers are employed."

Sometimes workmen's compensation stands in the way of employment of the disabled. But, workmen's compensation is determined by two things: the relative hazard in a company's line of work and its accident experience.

In certain jobs, changes are made so a disabled person can be employed. Small things mean a great deal to a handicapped person. Changing the height of a workbench can be important to a workman confined to a wheelchair. Sometimes the redesigning process is small and sometimes it is large. The important idea is to allow the person to work to his full capacity.

In two communities of Utah alone, a number of excellent examples of the successful employment of the handicapped have been found. Two key punch operators who are deaf are employed at the U.S. Forest Service, Ogden, Utah. They can "run rings around the other employees." A secretary in a Salt Lake City, Utah business firm functions efficiently as a typist. She has only one arm. Paralyzed from the waist down by polio while in college, a young man is employed by the Security Employment Office, Salt Lake City, Utah as a journalist. He is well liked by everyone and is doing an excellent job. Acting as mail handlers for the U.S. Post Office, Salt Lake City, Utah, five mentally retarded individuals are reported as doing excellent work.

In summary, personal interviews have helped to formulate certain ideas concerning disabled people. First, the barriers and ideas

of yesterday toward the disabled are gradually breaking down. Second, the placement of disabled persons on the job is rewarding to the employer and the employee. Third, the employment programs for the handicapped are continuing to grow and gain momentum through the nation. Fourth, the disabled can prove their worth on the job, if given a chance.

How sad it is when a society can become so hardened that it will not accept the disabled. It is our duty and our opportunity to help give the disabled a chance to prove their own worth and retain their dignity. To produce useful and lasting citizens, rehabilitation of both employer and employee must take place from the shoulders up.

#### ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CRANSTON in the chair). Without objection, it is so ordered.

#### SENATOR RANDOLPH OPPOSES BUDGET CUTS IN NATURAL RESOURCES PROGRAMS AND ASKS FOR \$10 BILLION CUT IN DEFENSE SPENDING

Mr. RANDOLPH. Mr. President, the annual submission of the budget of the U.S. Government has again become the signal for the opening of public discussion on cutting back programs in the development of our human and natural resources.

Invariably, the first things looked at are those programs which concern themselves with the improvement of the quality of our environment. Natural resource programs of every kind become suspect. The first items proposed for discontinuance or deferment are programs related to water supply, air and water pollution control, education, hospital construction, recreation, manpower training, and urban and transportation development. Programs which constitute the investment in our future are the ones which are most susceptible to curtailment, excision, or obliteration.

On Monday, March 24, 1969, the Director of the Budget, Robert P. Mayo, in an appearance before the Senate Committee on Finance, discussed the possibility of a freeze on public works. The objective of the freeze, the reduction of inflationary pressures, is indeed noteworthy. However, since this is not the first such moratorium on our national public works investment programs, it is time for us to evaluate the relationship between these programs and our national fiscal policy, and indeed the very purposes for which we have resource development programs.

For a decade the pressures of rising costs have borne down heavily upon the American people. Inflation has directly affected the cost of Government services. In a period of great prosperity, we have experienced tremendous increases in the cost of services, along with an expansion of the kinds of services needed by our expanding population. As the total



budget of the Federal Government has risen, however, that portion of it devoted to the preservation, conservation, and improvement of our human and natural resources has decreased.

The total dollars spent on such things as water pollution control, air pollution control, parks, recreation, water resource development, solid waste disposal, and the like have stayed fairly constant, but the proportionate amount relative to the Federal budget has steadily decreased. We have, in the parlance of business, curtailed our investment in plant and equipment and have tried to meet important public needs with inadequate and obsolete facilities. I am deeply concerned that the Bureau of the Budget should again be considering a freeze on "all but the most urgent public works projects," in view of the fact that in the last 20 years, the Bureau of the Budget itself has exercised such strict controls over our public works programs that only the most urgent have been submitted to the Congress.

In the budget for fiscal year 1970, submitted by the Johnson administration, our total outlays were estimated to be \$195 billion; more than \$83 billion would be obligated for national defense; some \$55 billion would be for social security, unemployment insurance and medicare payments; and almost \$16 billion would be needed to service the national debt. Of the total budget, only \$19 billion would be available for programs which related in greater or lesser degree to our investment in the America of the future and its people. Of this amount, the net expenditure for those primary categories traditionally considered as "public works," that is, water and land resources and power development—as my knowledgeable colleague who honors me by listening to these remarks, the Senator from Louisiana (Mr. ELLENDER), well knows—will be less than \$2 billion.

We are informed that the revised budget for fiscal year 1970, submitted by President Nixon, will be transmitted to the Congress tomorrow. Reports in the press indicate that the Johnson budget will be trimmed by \$4 billion, with \$1.1 billion coming from the defense related budget—now in excess of \$83 billion—and \$2.9 billion being cut from the so-called controllable nondefense expenditures which are estimated at less than \$20 billion. Mr. President, I respectfully suggest that this proposed allocation of cuts fails to acknowledge the mounting criticism of independent scientific and military experts and of Members of Congress regarding the policies and practices of the Defense Establishment. And I suggest also that both the Johnson and the Nixon budgets express the continued confusion of values and priorities which has been dominated by a militaristic psychology, which has resulted in our deferring the solutions to critical social and economic problems and postponing the development of vital natural resources.

Not long ago, Under Secretary of Defense David Packard stated that the proposed budget would allow for "guns and some butter." This is the kind of polarized language that has for too long dominated our thinking, saying it is either here or it is there—in other words, that there are only two sides to a problem. I

say to the Members of the Senate and the people of the United States that there are more than two sides to any public issue these days. There are as many sides as there are factors to be considered and weighed; and to say that there are just two sides to such a question is a tragic oversimplification of the very complex society in which we live. It implies that we must make a choice between providing for the sturdy sinews of defense or accepting the self-indulgences of a peaceful society. Mr. President, several Senators during the Easter recess were making studies of conditions of hunger and malnutrition within their own States and other States. They have found, as has the Senate Select Committee on Nutrition and Human Needs, that a significant portion of the American people, including children, not only do not have the butter of which Secretary Packard speaks, but they are deficient in the basic supplies of iron, protein, and other nutritional elements which are vital to the physical, intellectual and emotional development of a normal human being. The "guns versus butter" phrasing is the kind of cliché that short circuits the critical and reflective thought which we in the Senate must bring to bear on this matter.

In point of fact, Mr. President, it is our defense expenditures—generally subjected to very little critical analysis—that have fostered a bloated, overweight, wasteful and frequently inefficient Defense Establishment. As the Joint Economic Committee stated in its report of January 1969:

We have been impressed by the evidence of widespread waste, mismanagement, and inefficiency in defense spending brought to light in recent months. It now seems clear that the present level of national security can be maintained on a substantially smaller defense budget.

These are not my words. These are the words of the Joint Economic Committee, in its report of January 1969.

In this regard, let us recall what former President Eisenhower, to whom the Nation paid its last respects last week, wrote in 1965:

Every addition to defense expenditures does not automatically increase military security. Because security is based upon moral and economic, as well as purely military strength, a point can be reached at which additional funds for arms, far from bolstering security, weaken it.

These are the words of that great former President of the United States.

Mr. President, I believe we have long since reached and passed that point, as my votes in support of cutting the military budget have indicated since 1963. We cannot be considered secure as a nation in the most meaningful sense of the word when too many of our cities are rotting at the core, when the air we breathe and our streams and lakes are increasingly fouled by municipal and industrial pollution, and when earnest young Americans feel—and understandably so—that they are not being given full participation in the decisions that govern their own destinies.

I have spoken with many of these young people on college campuses throughout the country in recent months, and I know of their longings for peace and for the opportunity to make creative

contributions to our society in the years ahead. Last Friday, April 11, I spoke in Morgantown, W. Va., where I quoted remarks of General of the Army Douglas MacArthur when he stated:

The great tragedy of the world today is that we have not been able to establish the mechanics to carry out the will of the common people that war shall be non-existent. Now, the masses of the world are far ahead of their leaders . . . I believe it is the massed opposition of the rank and file against war that offers the greatest possible hope that there shall be no war.

I stated at that time in Morgantown, and I assert here vigorously again this afternoon, that it is quite possible that we are beginning to see the genesis of mass opposition to war in the attitudes and protests—though I am strongly against violence and often speak out against it—of what is thus far a small segment of the young people of the United States and other countries. Although all reasonable persons wish for peace, it is our young people who most often have taken an active part in translating that desire into affirmative actions.

I talked not only with students in high school and college, but with other young people who are working at jobs in our labor forces in the West Virginia valleys and on the West Virginia hills. I talked to young men who are beginning to rear families, and to realize the responsibility of bearing the heavy costs under which they live in these troubled times.

Mr. President, I honor the patriotism, the sincerity, and the integrity of the career military officers of the armed services. And I do not imply a conspiracy within the so-called military-industrial complex. Though I do believe the military-industrial complex is a reality, and the problem of controlling it in the broader interests of society is more difficult than if it were dominated by a conspiracy; for if that were the case we could ferret out the conspirators and be done with it. The problem is much more deep seated and pervasive than that of a conspiracy; for it stems from attitudes and habits of thought generated more than 20 years ago which are no longer relevant to the world of today.

Too much of the thinking of our Defense Establishment and foreign policy planning is frozen in the ice of the cold war. And as the knowledgeable senior Senator from Louisiana (Mr. ELLENDER) demonstrated in his remarks to the Senate on April 1 of this year concerning his recent trips in the Soviet Union, the rigid and inflexible attitudes of the cold war are no longer relevant to the realities of today.

As the senior Senator from Louisiana (Mr. ELLENDER) stated at that time:

For almost 20 years now, many of us in the Congress have more or less blindly followed our military spokesmen. Some have become captives of the military. We are on the verge of turning into a militaristic nation. Since the end of the Second World War we have been operating under a cold war psychology. The attention of the country has been turned abroad and the problems of our domestic life have been neglected. We have forgotten many of the traditions and values which made this country great, and we have

flung men, arms and materials almost heedlessly about the world.

Mr. President, I shall long remember the year 1963 in the Senate. That was the year in which I joined with the junior Senator from South Dakota (Mr. McGOVERN) in offering an amendment to cut military appropriations by 10 percent. Only our two names were on the amendment. A rollcall was demanded, and the amendment received two votes—the votes of Senator McGOVERN and Senator RANDOLPH. That was 6 years ago. On that occasion, I stated:

I share the conviction that America should have a defense force which is second to none, but the time has come to question the assumption that we are adding to defense and security by increasing more and more the nuclear stockpile when it is a well documented fact that the United States already has an accumulation of nuclear weapons in excess of any conceivable need. This excess is spoken of in military terms as "overkill capacity."

Though the details have changed with the changing weapons technology, the basic issue is the same today as it was in 1963. This point of view is shared by a growing number of Americans, in the general public and among independent military and foreign policy experts, but it seems not yet to have penetrated the Pentagon. I started to say the recesses of the Pentagon. I hope it begins to touch the fringes of the Pentagon.

As former Marine Commandant Gen. David M. Shoup, so eloquently and courageously stated in his recent article in the *Atlantic Monthly*, in both Vietnam and in the Dominican Republic adventure of 1965, the professional military planners propelled the United States into an excessively aggressive response. The comments of a former Commandant of the Marine Corps and member of the Joint Chiefs of Staff can hardly be dismissed as irresponsible, naive, or unwitting. These are the measured statements of one of America's great military combat leaders who is desperately concerned with the direction our country is taking. Many Americans, and many Members of this body, I believe, share the general's concern.

Mr. President, the able senior Senator from Wisconsin (Mr. PROXMIER), who has been one of the most consistent and effective critics of defense spending, has documented the growth in the military-industrial complex against which President Eisenhower warned the Nation in his farewell address in 1961. One measure of this growth is in the increase of high-ranking retired military officers in the employment of the leading defense contractors. As the senior Senator from Wisconsin noted in the Senate on March 24 of this year, the number of retired officers of the rank of colonel or naval captain or above, employed by the top 100 defense contractors, has increased from 721 in 1959 to 2,072 in 1969, an increase of almost threefold.

During the same decade, defense expenditures have almost doubled; and in recent months we have learned—from reports of the General Accounting Office, testimony from such experts as Admiral Rickover, and from committee investigations in both the Senate and the House of Representatives—of vast overruns in

defense contracts, the failure of weapons systems to function with more than a fraction of their specified capabilities, and of the decreasing use of competitive bidding among defense suppliers. These conditions were summed up in the 1969 report of the Joint Economic Committee in the following statement:

While over \$44 billion was spent on the purchase of weapons and other military goods last year, only 11 percent of the contracts were awarded through formal advertising. Sole source procurement accounts for 57.9 percent. It is the sole source procurement of major weapons systems where much of the problem of excessive costs and cost overruns have occurred. Cost increases of 200 percent and more over original estimates have been common.

The conditions prevail, Mr. President, because we have not established in the Department of Defense or in any other agency of the Government machinery to assure effective audit, control, and program management of defense expenditures. The Defense Contract Audit Agency, established by the Secretary of Defense as of July 1, 1965, has made progress in postaudit reviews of contract prices. But this is only a partial attack on the problem.

As this agency becomes more effective, it is the intention of the Comptroller General to shift the emphasis in the very competent work being performed by the General Accounting Office from individual contract audits to the broader areas of procurement and contract administration. Under the present allocation of manpower, the General Accounting Office devotes approximately 40 percent of its staff to audits of Defense Department activities. This seems to me a fair allocation of manpower, considering that the GAO also has to respond to many unprogramed requests by Members and the committees of Congress. But I believe the appropriate committees of Congress should also give consideration to increasing the funds and professional personnel of the General Accounting Office, especially in view of the savings that have accrued to the Government as a result of GAO audits of Defense Department contracts.

But the kind of control of the Defense Establishment which is now required is not the function of an arm of Congress, nor of Congress itself. Certainly, no committees in the Senate have carried a greater burden than has the Committee on Armed Services, chaired so long and so ably by the distinguished former chairman, the senior Senator from Georgia (Mr. RUSSELL), and now led by the knowledgeable and diligent Senator from Mississippi (Mr. STENNIS). A Senate committee has neither the time nor the staff adequately to control as massive an operation as the Department of Defense.

Indeed, the primary responsibility for weighing the requests for defense expenditures in relation to competing claims from the non-defense sector of the Government rests with the Bureau of the Budget. Yet, among the 500 professional staff persons in the Bureau of the Budget, only 45 are assigned to audit, control and program management of national security programs—that is, less than 10 percent of BOB personnel as-

signed to manage the expenditure of 50 percent or more of budgeted funds, depending on how one categorizes "national security" expenditures. Five hundred professional staff persons are employed in the Bureau of the Budget, but only 45 are assigned to audit, control, and program management in our national security efforts—less than 10 percent of the personnel assigned to manage the expenditure of 50 percent or more of budgeted funds.

I desired to make a comparison between BOB manpower allocation to national resources programs and national security programs and requested this information from the Bureau of the Budget. I ask unanimous consent to have the two tables printed in the *RECORD* at this point.

There being no objection, the tables were ordered to be printed in the *RECORD*, as follows:

[Estimated fiscal year 1970]	
Budget analysts (Estimated fiscal year 1970)	
NATURAL RESOURCES PROGRAMS	
Agriculture price support, Public Law 480, and related programs.....	2
Conservation programs.....	1
Credit programs.....	1
Forestry programs.....	1
Research programs.....	1
Marketing, foreign agriculture, and food programs.....	1
Indians.....	1
Territories.....	1
Mineral exploration, production and supply.....	1
Land, forage, timber.....	1
Recreation use and preservation; also includes fish and wildlife programs.....	2
Water supply and control.....	7
Corps of Engineers—Civil, including project report review.....	5
Power and energy.....	4
General program support.....	4
Total.....	33
NATIONAL SECURITY PROGRAMS	
Strategic forces.....	6
General purpose forces.....	19
Intelligence and communications.....	7
Research and development.....	3
Logistics, construction and general support.....	8
Support to other nations.....	2
Total.....	45

<sup>1</sup> All but 10 of these positions are located in the national security programs division; one is an assistant director; seven are located in the international programs division; two, in the general government division.

Mr. RANDOLPH. Mr. President (Mr. DOLE in the chair), it is, of course, virtually impossible to make a refined comparison of man-per-dollar volume between the two categories of programs—the natural resources and the national security programs—because they do not follow the overall budget categories to which funds are allocated. However, one does not need a definitive analysis to see the grossly disproportionate allocation of manpower to natural resources programs compared to those associated with national security. For example, in the field of national security programs of research and development, the budget estimate for fiscal year 1970 is in excess of \$9 billion, including the \$829 million entered for weapons research by the Atomic Energy Commission and thus not carried



in the Defense Department budget. In order to monitor this massive program—where some of the most flagrant examples of mismanagement and cost overruns have occurred—the Bureau of the Budget has assigned three, only three, budget analysts. On the other hand, for natural resources programs, which, in their entirety, do not approach fiscal 1970 obligations of \$9 billion, the Bureau has assigned 33 budget analysts. For water resources and power development alone—programs administered largely by the Corps of Engineers, Civil Works Division, the Bureau of Reclamation, and the Federal Water Pollution Control Administration, with combined budgets of less than \$1.8 billion for fiscal year 1970—for these programs alone, the Bureau has assigned 16 budget analysts, or more than five times the manpower for programs which are less than one-fourth the size of our weapons research and development programs.

Given this kind of manpower allocation, it is no mystery why the unvarying reflex of the Bureau of the Budget, during times of financial constraint, is first to trim the natural resources programs—the programs of people, the programs to help people, the programs to strengthen the very vitals of this Nation. Yet, it is these programs, and those which develop our human resources, that provide the real bone and muscle of our national security, not only today but also for the years ahead; for if it were not for the great economic and industrial strength generated by these programs, we could not afford the fat and waste in parts of our defense effort today. To cite only two examples, it was the control and harnessing of the Tennessee River that helped make possible the development of the aluminum industry so vital to our air strength in World War II, and the development of the atomic bomb at Oak Ridge with which we ended that dreadful conflict. And, similarly, the navigational development and the control of floods on the Ohio River have made the Ohio Valley one of the great industrial centers of the heartland of America.

It is for these reasons, and countless other benefits which could be cited, that I oppose, vigorously and earnestly, any so-called moratorium or cutback on our programs of natural resources development, and I shall oppose with equal strength any cutback on valid programs of developing our human resources.

It may be that on a strict cost effectiveness, accounting basis, some of the Job Corps centers would be difficult to justify.

I turn at this point to say that many, many calls from West Virginia over the weekend and today have indicated the value of the Job Corps workers in Greenbrier County, Camp Anthony, where the Conservation Corps has been going forward. I visited there twice. I met with the officials and with the boys and counseled with them in connection with the diplomas they receive in carpentry. These boys, I should say to the Senator from California (Mr. CRANSTON), are dropouts from school and perhaps do not know more than one of their parents. These are boys who need programs of this type. They are being trained in

the skills of carpentry. They go there without any means of earning a livelihood and perhaps with only the capability of fomenting violence. However, now they can go out from the camp ready to earn \$3 an hour and contribute to the society of which we are all a part.

The development potentials of these natural and human resources are being cut from some of the programs, as we have been reading in the last few days. If this is so—there may be some reason I do not see—and if such cuts are being made for reasons of cost effectiveness and to control inflation, then these reasons are even more applicable to much of our Defense Department expenditures. The overrun of \$2 billion on the C-5A airplane alone is greater than the entire budget for the Job Corps—not to mention the ABM, which is of doubtful merit at best, and the folly of committing our Nation to another multibillion-dollar manned bomber program.

Mr. President, it was on March 10 of this year that the senior Senator from Wisconsin offered eight or nine specific recommendations in the Senate for ways in which we might control the runaway military budget. These were developed from his penetrating investigations, as the chairman of the Subcommittee on Economy in Government of the Joint Economic Committee. We should address ourselves seriously to these recommendations.

Other suggestions have been offered, including the recommendation of a national commission on the defense budget, which would include experts not only on matters of foreign policy and defense but also individuals committed to solving the urgent domestic problems which face us today. Overriding all these specific suggestions is the recognition of the need to question the basic assumptions of our defense policies and to reorder our national priorities in the light of such questioning.

The current ABM controversy is a beginning—and I hope it is only that. I hope that the Congress this year will deny the funds for deploying the ABM, and will proceed from there to make an overall cut in the defense budget in the neighborhood of \$8 to \$10 billion. Thus we may force the Defense Department to live within the kind of realistic constraints that are imposed on other agencies of the Government, and we can then begin to establish the kind of institutional procedures needed to analyze the kind of institutional procedures needed to analyze the assumptions of the defense establishment.

Mr. President, I recognize the thief of inflation, the hidden taxes which all Americans pay as a result of rising costs. And I join with this administration in the effort to curb inflation. But I suggest to Members of this body that we concentrate on those areas of most rapidly rising costs and cost overruns in the \$83 billion defense budget rather than on the less than \$20 billion of so-called controllable nondefense programs which invest in the development of the human and natural resources of this Nation which we love.

I am very grateful for the attention

of several of my colleagues as we counsel together on this subject. I am not an expert and I do not pose as one on this matter. But I am a student of this subject, and I have been working, as other Senators have, in relation to the many matters of concern not only to us but to our constituency and the people of the United States.

Mr. HATFIELD. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield to the Senator from Oregon.

Mr. HATFIELD. Mr. President, I think it is very obvious that the Senator from West Virginia has made a very outstanding contribution today in calling our attention to this important subject. There are so many things I would like to say in response to and in comment about his statement, but I shall restrict my comments very briefly because I know that those who are here today listening to the Senator from West Virginia are very knowledgeable in this subject field and have had great opportunity to listen to the speech today and, with their own backgrounds, no doubt have much they want to say about this matter.

I am especially pleased that the distinguished Senator from Louisiana (Mr. ELLENDER) is in the Chamber because over the years he has been most involved with that part of this speech of the Senator from West Virginia which deals with western reclamation.

The Senator mentioned TVA. I think this is very pertinent because the TVA in his frame of reference was a national issue and a national project. I think sometimes we are a little prone to think of these projects in reference to our own region or area alone. I would agree that while there is real and urgent need to stem inflation, there is pressing need to examine priorities in spending, especially as related to public works and natural resources.

The war in Vietnam and the fiscal crisis it has brought to the American scene is a tragedy of our time and it does not make sense to me to cut back Federal developments that create and assist our Nation's economy.

I am sure the Senator realizes that the Department of Defense budget today ranks third in reference to national budgets of other countries. In other words, only two countries in the world have a budget larger than the budget of our Department of Defense.

Public works seems to be one of the first programs whittled whenever cutbacks are made, and this is the third consecutive year of such cutbacks.

It seems incongruous to be facing cutbacks on water-resource developments, especially water-storage reservoirs for flood control, on this very day when thousands of Americans are reportedly homeless as a result of flooding rivers in the Midwest.

I think we need an increase, not a decrease, in funding for water-resource developments, pollution control, and reclamation projects, since funding for these programs has already been sliced to the bone.

Water is a fundamental resource and its conservation, preservation and clean-

up cannot continue to be delayed in order to protect the funding of other programs that do not pay their way or have not been proven economically feasible by time consuming and costly benefit-to-cost-ratio studies. I refer to the military budget.

The administration has fallen heir to water resource developments and pollution control programs that are not going to be readily solvable.

This country needs a consistent and adequately financed water resources restoration and development program to be kept on an even and dependable plane.

The drought cycles in the Midwest in the past are in sharp contrast to the devastating floods there at present and point up a need for protective works before, rather than disaster relief for recovery and rehabilitation after flood damage is done.

Flood control benefits from the federally financed water storage projects in some areas of California were realized fully during the flooding that besieged southern California early this year.

The federally financed dam and reservoir projects in my State of Oregon prevented millions of dollars of flood damage in the worst floods in the State's history in December 1964.

The West, like most regions of the Nation, has always been plagued with the problems of either too much or too little water.

A few years back a 5-year drought in the Northeastern States highlighted a water crisis in that region.

In all cases the single development that can do the most good is a facility to impound water.

In the face of these needs, the Chief of Army Engineers testified before Congress last spring that new starts in the pipeline for his agency, which had been averaging about \$1 billion a year in the total cost of the projects started, dropped down for the last 2 years to somewhat under \$200 million.

When this reduction of 80 percent in the pipeline reveals itself we are going to be faced with the need for massive amounts of Federal funds just to restore this one program to its \$1 billion a year former level.

To compound this problem, this one agency alone has a backlog of active authorized civil works projects not yet under construction of \$8½ billion.

When the backlog of reclamation and pollution control fund needs are added to the above, the total will be a monumental one.

Where can better investments of public funds be made than in the water resources projects that prevent loss of life and property while preserving the water and its quality for its many and varied uses and at the same time allowing land reclamation and recreation, all of which contribute to a permanent environmental and economic development.

In Oregon we have five major reservoir projects held up awaiting a construction start—Applegate, Cascadia, Elk Creek, Gate Creek, and Lower Grande Ronde. We have another flood control project in Oregon that is somewhat unique and it has not yet had a planning start. Willow Creek Reservoir in Heppner was authorized in 1965 after

more than a half century of on-and-off-again studies. In 1908—61 years ago, a flood took 247 lives in Heppner in what was then the worst natural disaster of its kind in the history of the United States. Sixty-one years later, we still plead for a planning start on this reservoir project.

In addition to the flood control needs, the cutback in reservoir projects will add to an upcoming power shortage. Bonneville Power Administration, marketing agent for the Federal dams in the Columbia River Basin and the Northwest Power Pool, the cooperative arrangement on the part of public systems, private utilities, and the Federal power agencies, is predicting a power deficit in 1973-74.

With this power deficit facing us, lower Granite lock and dam on the Columbia River system, a substantial power generating facility, remains as it has been for the past 3 years, with the cofferdam installed awaiting funds for a start on the main dam structure.

Beyond the direct returnable benefits lost in delaying water resource projects, the additional costs to be added due to the continuing annual increase in construction costs are staggering.

Assuming a 5-percent average increase per year, the Corps of Engineers' total backlog alone will increase costs \$425 million each year of delay. This, added to the cost of past delays, makes the rationale for continuing a policy of no new starts difficult to understand.

The continuing growth in this country and the ever-increasing needs to clean up and fully utilize our water demands unprecedented development of this fundamental resource.

Mr. President, I have taken only this very small part of the outstanding presentation made by the distinguished Senator from West Virginia (Mr. RANDOLPH), and that is the water resource. I could talk about all the other resources to which he referred so eloquently today, such as human resources, the need for education, for housing, for job developments, for health facilities and programs, the needs of the aged and the poor, the needs of the young—all of these things bear great comment and further discussion; but I wanted to touch briefly this one, small facet of the greatest of all our natural resources; namely, that of water, and how fundamental it is, not just to the West and to my own State, but also to the entire Nation.

Again I compliment the distinguished Senator from West Virginia for drawing our attention to this question.

I think the fundamental question is one of priorities. Are we going to put the priorities upon becoming involved in a revolution in Southeast Asia and neglect the revolution which is taking place here at home, or are we going to spend more money to destroy cities and villages in Southeast Asia than to build and reconstruct here at home?

These are some of the priorities which have certainly challenged my thinking and I know they will be read tomorrow in the CONGRESSIONAL RECORD by all Senators not privileged to hear the presentation of the Senator from West Virginia today.

Mr. RANDOLPH. Mr. President, I am

grateful for the comments of the able Senator from Oregon and most appreciative of his thoughts toward me. There is a compelling argument to advance the water resources development programs in this country. The distinguished Senator from Louisiana (Mr. ELLENDER) has painstakingly, day after day and month after month, looked into these projects which are so glibly called pork barrels. There is no Member of this body who knows better than the senior Senator from Louisiana the falsity of the term "pork barrel" when applied to vital flood-control projects which protect the lives and property of our citizens.

I am very appreciative of the time the Senator from Oregon has taken to listen to my remarks this afternoon and to make his very helpful comments on what I hope will be a partial building of the RECORD.

Mr. ELLENDER. Mr. President, I share the apprehensions of the distinguished Senator from West Virginia. The week before last, the extent of this problem came to my notice. I held hearings and heard all the Corps of Engineers witnesses in respect to our public works programs for fiscal 1970. Congress appropriated, as I recall, the figure of \$906 million, for the Corps of Engineers construction program for fiscal year 1969.

Last week, I learned that based on the need to pay for past commitments substantially less than that amount would be spent during the current fiscal year. What has happened is that practically all of the contracts scheduled for award in fiscal year 1969 will be delayed, some extending into 1970. However, those awarded in fiscal year 1969 will be delayed so as to incur no expenditures until fiscal year 1970, and contracts scheduled for award in fiscal year 1970 will probably be delayed to late in that year.

If the present administration freezes this work, as they have indicated they might, we might as well close down the work of the Corps of Engineers because, as I said, this year they will spend substantially less than the amount we made available to them.

As we are discussing this problem, the Senate is acquainted with the vast damage now being caused in the States of Iowa, Minnesota, South Dakota, and North Dakota—in fact several other States in the North. If we in the past had been provided enough money to construct the projects which were authorized in those areas, a large portion of the damage we are reading about now would not have occurred.

I do not know what the President will do, but if he further curtails the expenditures of money to take care of natural resources, there is no telling the extent of the damage our country will suffer in the future. In many divisions, the increase in cost of some of these projects because of delays and slowdowns is more than the appropriation request to continue the project in fiscal year 1970. In other words, we had at least a half dozen projects presented this year in which the additional cost to the Government because of delays was greater than the sum we are being asked to appropriate. So we are making no progress. I hope, before the President takes such an action, that he will reconsider the situa-



tion and let Congress appropriate sufficient funds to carry out these urgent and worthy projects.

I had hoped to speak with the President on this matter, but I have not had occasion to do it so far. Insofar as I am concerned, I am going to recommend that the committee put into the bill whatever is necessary.

As the Senator well knows, the late President Eisenhower vetoed a public works appropriation bill in which we had quite a few unbudgeted items for the construction of navigation, flood control, and beach erosion projects on various rivers in our country, particularly the Ohio and the Monongahela, in the area of my friend from West Virginia. Notwithstanding the fact that the President vetoed the bill, the Congress overruled him. Congress felt it was most necessary for us to continue those projects.

For quite some time now—in fact long before I came to Congress—it has been my belief that we must do what we can to protect our two most important resources—land and water. If ever we fail to do that, our country will sustain great losses.

I am very hopeful that, if, as, and when I present my report to the Congress to carry on the water resource program, I shall receive the support of the Senate. Insofar as I am personally concerned, I intend to add quite a bit more than the amount allowed by the budget, as I have in the past.

Mr. RANDOLPH. Mr. President, this is a well reasoned comment of caution and counsel which the Senator from Louisiana makes to the present administration and to the President of the United States. I hope the opportunity will be provided for him, informally and officially, to talk with our Chief Executive with respect to matters of overriding concern to the people of the United States.

Mr. President, we are at a great threshold. We are at a great watershed in the history of our people and in the thinking of our people. Here the Congress must be responsive to the electorate. The people are evaluating the situation. We cannot hide in a sanctuary, because it is not there to hide in. The problems are all about us. We must face them, as I hope we do, realistically and courageously as Members of the Senate.

Mr. PROXMIER. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. PROXMIER. I congratulate the Senator from West Virginia on an excellent speech. I think he has put the matter in proper balance.

It is always difficult to criticize military spending. There is not a Member of the Senate who does not want us to have a completely adequate Army, Navy, and Air Force. We know defense cannot be bought at bargain basement prices. We must pay for it. At the same time, as the Senator has so well indicated in his speech, there is waste in the Army, Navy, and Air Force, and, as the Senator has suggested in the last few minutes, it has not been scrutinized the way it should be. We have not devoted the resources of the Budget Bureau to a scrutiny of defense expenditures. There are 500 people in the Bureau of the

Budget, and only 50, according to the Director of the Budget, have responsibility for auditing defense operations.

Mr. RANDOLPH. Forty-five, to be exact.

Mr. PROXMIER. Forty-five. I stand corrected.

Even more important, when the Army, Navy, or Air Force comes before the Bureau of the Budget, they come in a position of power which the other agencies do not enjoy. When the officials of other agencies go before the Bureau of the Budget, an official of the Bureau of the Budget will sit in on the request and will determine, more or less, what the budget will be. On the other hand, when the Army, Navy, or Air Force agencies come before the Bureau of the Budget, there will be presiding an official of the Bureau of the Budget and also presiding an official of the agency of defense. Because they have a technical advantage, this gives Army, Navy, and Air Force officials a special advantage. Any recommendation of the Bureau is likely to require agency approval and then, by and large, the Secretary of Defense, backed up by the power of the joint chiefs, is in a peculiarly strong position with the President. This is not criticism of President Nixon or any President; it is just a statement of the fact.

As for congressional review, we all know of the problem we have on the floor when the military budget comes before us with more than \$70 billion to be debated in a few hours. In the 12 years I have been in the Senate, I have never heard an effective debate responsibly questioning and answering this massive budget, this very large proportion of all this Government spends.

I should like to make one other point in connection with military expenditures. The Bureau of the Budget has a very fine analyst in Richard Stubbings. He made a report a few weeks ago pointing out that in this decade, of 11 major weapons systems developed, six have been dismal failures; that is, they did not work even up to 25 percent of standard specifications called for in their contracts. On the other hand, their cost was 100 to 200 percent more than the Pentagon told Congress they would cost when they were authorized. They were delivered more than 2 years late on the average. This is an unfortunate situation, because these weapons become obsolete swiftly. Finally, the firms that did the worst job, that failed most miserably, made the highest profit.

So it is difficult for Congress to be able to step in and exercise judgment on each of the myriad of items in the Defense Department budget. But cut this budget we must. Let me suggest how appropriate such a cut would be.

The Congressional Quarterly made a fascinating study, some 3 or 4 months ago, in which it was argued that if we cut the defense budget by \$10.8 billion, we would have a leaner, harder, tougher, better military operation, and we would not damage our combat effectiveness. The study pointed out that there were between 10 and 11 support personnel in Vietnam for every one engaged in combat, and 20 commissioned officers in Vietnam for every command post.

I think the Senator from West Vir-

ginia is on sound ground. It will be difficult for us to do it. If I have a criticism of the Nixon budget-cutting proposal—to be sure, looking at it only overall, as it has been reported to us—it seems to me that to cut only \$1.1 billion, which the newspapers report is what is expected to be cut, out of the defense budget, is grossly inadequate. I say we have to do far more than that, and I think with leadership such as that of the Senator from West Virginia, the chairman of the Committee on Public Works, who has made such a fine speech here this afternoon, we can do it.

Mr. RANDOLPH. I thank the Senator.

Mr. President, I am, of course, appreciative of the references made to my remarks by the knowledgeable Senator from Wisconsin. I referred to him in my speech, not merely in pleasantries, but because of the work he has been doing in this field, and doing so very effectively.

I, of course, realize that there are different opinions among Senators about such programs as the Job Corps. I referred to them, as the Senator from California (Mr. CRANSTON) knows, earlier this afternoon, though not in the terminology I shall now use. But what do we find? We find a mistake in a defense item can run to \$30, \$40, or \$50 million, but we gloss such mistakes over very easily. If, however, a \$10, \$12, or \$15 million mistake is made in connection with conservation or resource development programs, or even programs of helping people to help themselves, such mistakes are disproportionately inflated before the American people.

So I think there is, as was stated earlier today by the Senator from Oregon (Mr. HATFIELD), a need to understand the priorities and attempt to establish them.

I believe Congress is ready to try to do that. I referred earlier to the absence of my friend, the Senator from Wisconsin, at the time of the vote in 1963 when the Senator from South Dakota (Mr. MCGOVERN) and I offered an amendment to cut 10 percent from the military appropriations, across the board. I am not sure that such a figure was the correct amount at that time. I am not an expert. But it seemed to me that it was an opportunity for the Senate to express a deeper concern than just that implied in a figure.

We received two votes—that is all—out of all the membership of this body. I do not know what we should have received then, 6 years ago. Let us say the matters that concerned us then were not as relevant as they are today. I am not critical of the vote of any Senator, or the attitude or position he may take on this problem, but I do feel we must come to grips with the issue as we never have before. We can no longer push it aside. And we ourselves cannot step aside from the obligation of being responsible Senators to a responsible electorate.

KENNEDY, KHRUSHCHEV, AND CUBA

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the RECORD an interesting article entitled "Kennedy, Khrushchev, and Cuba,"

written by the distinguished commentator, Drew Pearson, and published in the *Saturday Review* of March 29. The article is based upon several personal visits with Khrushchev.

There being no objection, the article was ordered to be printed in the *RECORD*, as follows:

KENNEDY, KHRUSHCHEV, AND CUBA  
(By Drew Pearson)

(NOTE.—The tides of peace were at their crest when a new President took office in 1961; yet within two years a series of mistakes had brought Washington and Moscow to the edge of nuclear war. A distinguished columnist reveals these errors and specifies some lessons for the Nixon Administration.)

"I felt," said the late Senator Robert F. Kennedy, "that we were on the edge of a precipice with no way off." He was describing the "Thirteen Days" in October 1962 during which the United States almost went to war with Soviet Russia over the Cuban missile crisis. Kennedy's book is being cited by various experts as a lesson for President Nixon, and it is. David Schoenbrun, who covered the crisis for CBS, warns that Mr. Nixon should be aware of hawkish advisers. John Kenneth Galbraith, who was then Ambassador to India, points out that President Kennedy's political neck—and for that matter the United States—was saved by men of moral courage. Dean Acheson, who participated in the talks, is convinced President Kennedy was "phenomenally lucky."

While all of the above are true, I would like to make the very important point that the Cuban missile crisis didn't have to happen. And that is the chief lesson for President Nixon. It was not necessary for Kennedy to depend on the advice of either hawkish generals or men of moral courage. For it was not necessary to bring the two most powerful nuclear nations to the brink of war, and it was not necessary to risk a challenge to Soviet vessels on the high seas. For the express duty and function of diplomacy are to prevent these crises. When they happen it is because diplomacy has been neglectful, irresponsible, inefficient.

Some of the events in the early days of the Kennedy Administration which led to the Cuban missile crisis were so juvenile, so overconfident, that they amounted to a travesty of diplomacy. A case in point is the inexcusable failure of Secretary of State Dean Rusk to carry out the President's orders to remove American missiles from Turkey—one of Khrushchev's main reasons for placing Russian missiles in Cuba. Twice the President gave orders to remove American missiles from a country that is not 90 miles distant, as Cuba is from the United States, but only 100 yards from the Soviet Union. Yet these orders were never carried out.

This error is passed over very lightly in Senator Kennedy's book. But it was one of the many mistakes of American diplomacy which led to the most serious danger of major war the United States has faced since December 7, 1941.

There were other serious mistakes, and they began on the day John F. Kennedy took the oath of office, January 20, 1961. They were related to me by such men as the late Adlai Stevenson, former Under Secretary of State Chester Bowles, Senator William Fulbright of Arkansas, and Senator John Sherman Cooper of Kentucky, both members of the Senate Foreign Relations Committee. I relate them here in the hope that President Nixon, who faces the same opportunities as John F. Kennedy, may not repeat his mistakes.

Perhaps the most intriguing of these conversations took place high in the Montenegrin mountains in August 1962, two months before the Cuban missile crisis. Adlai Stevenson and I were the guests of Mrs. Eugene Meyer on a yachting cruise along the Adriatic

coast and had traveled with Chief Justice Earl Warren into the interior of Montenegro, partly to give "the chief" some fishing. Our Montenegrin hosts had taken us to a secluded mountain lake where Warren set out in a rowboat to test its potentialities. Stevenson and I, meanwhile, walked among the pine trees along the shore. Perhaps it was the isolation of the spot, but he began talking of his trials and tribulations as Ambassador to the United Nations. The State Department in Washington gave him little authority. He was a diplomatic puppet, dancing to the tune of the career men in Washington. Dean Rusk was slow, sometimes to the point of exasperation.

Stevenson's chief hope had been that he could contribute something toward peace by improving relations with Soviet Russia. To that end he urged Kennedy, in December 1960, shortly after he was elected and before his Inauguration, to take the initiative with the Soviet government. Khrushchev, he said, was ripe for friendly overtures. Averill Harriman had reported, even before the election, that Khrushchev was throwing whatever indirect influence the Soviets had against Nixon. Specifically, he had refused to release the RB-47 Naval fliers before the election for fear it would help Nixon.

After Kennedy's victory, Khrushchev suggested through Ambassador Anatoly Dobrynin in Washington that the Soviets might send a special ambassador of Cabinet rank to the Inauguration. Kennedy turned this down. On Inauguration day, Khrushchev sent an effusive telegram, overflowing with friendship to the new President. Kennedy replied with a curt three-line message.

After the Inauguration, following a conference with the new President, Stevenson was asked by newsmen whether Kennedy would confer with Khrushchev if the Soviet leader came to New York for a special U.N. Assembly meeting. Stevenson had answered in the affirmative. Whereupon the White House issued a blunt denial. Later, Ambassador Llewellyn Thompson in Moscow was ordered to track down Chairman Khrushchev in Siberia where he was traveling and inform him that the new President of the United States preferred to postpone any early meeting. Khrushchev is reported to have hit the ceiling.

The American Embassy in Moscow reported early in 1961 that Khrushchev had been given six months in which to demonstrate to the Red Chinese that his policy of coexistence with the West would work. At the Communist Conference in Moscow in November 1960, the Chinese had vehemently opposed Khrushchev's so-called policy of appeasing the West. In a four-hour speech, the Chinese delegate had excoriated Khrushchev. This was followed by a Russo-Chinese compromise, which according to the American Embassy consisted of a six-month grace period during which Khrushchev would have to prove to the Red Chinese that his policy would work.

For this reason then, Kennedy's rebuff of Khrushchev's suggestion that they meet together in New York made the Soviet leader see red. Almost immediately, he turned off his policy of cooperation and began to haze Mr. Kennedy. The Kremlin delivered a brutal note regarding the Congo, undercutting the United Nations and everything the United States stood for there. Simultaneously the Soviet delegation of the Geneva nuclear testing conference stiffened its position. And there was stepped-up Communist activity in Laos.

Simultaneously, Kennedy made a saber-rattling speech threatening military intervention in Laos, appropriated more money for missiles, upped expenditures for B-52s, the long-range bombers. All Stevenson had advised was thrown overboard.

To cap it all, four months after Kennedy had taken office, Stevenson had stood up in the United Nations to defend—and lie about—the Bay of Pigs invasion of Cuba,

only to discover that Washington had not told him the truth. Yes, Adlai Stevenson was indeed discouraged.

It began to get cold high up in those Montenegrin mountains. The Chief Justice had exhausted his patience and rowed back to shore. He had caught two bluegills, too small to keep. Stevenson had finished his discourse, a confession of failure delivered two months before the Cuban missile crisis, a confession in which he saw Russian-American relations drifting from days of hope to days of danger.

I cannot remember the chronological order in which I talked to the others who had urged John F. Kennedy to take the initiative with Khrushchev early in his Administration for fresh new starts toward peace. Senator Cooper, a moderate Republican who had served with success as American Ambassador to India, had visited Moscow shortly before Kennedy's Inauguration and conferred with Foreign Minister Gromyko, Deputy Premier Anastas Mikoyan, and others. He came back to dine with Kennedy and tell him this was the time for the United States to take the initiative regarding Berlin; otherwise the Russians would. They were in a friendly frame of mind toward the new Administration, but would not wait. European opinion, Cooper told Kennedy, generally agreed that sixteen years was long enough to delay signing a peace treaty with Germany.

Chester Bowles, who served as Under Secretary until he ran afoul of Robert Kennedy over the Bay of Pigs, advised likewise. So did Senator Fulbright, who had been on excellent relations with Kennedy until he heard Kennedy was about to undertake the Bay of Pigs invasion and passionately urged him, in his slow Arkansas drawl, not to do it. All told the new President, in those formative months in the winter of 1961, that he should take advantage of the Moscow thaw.

Perhaps it was Kennedy's caution. Perhaps it was the advice of old-line bureaucrats in the State Department, steeped in the Dulles policy of bowing daily before Chancellor Konrad Adenauer. But Kennedy did not move. And in April of that fateful year, there began a series of events that some diplomats said turned the luck of the Irish. In any event, they led to the Cuban missile crisis and the brink of war between Russia and the United States.

After the United States invaded Cuba on April 18 in a poorly conceived, poorly prepared expedition masterminded by the CIA, Kennedy emerged as something of a hero to many Americans. His announcement that he was to blame aroused a sense of sympathy, even among those inclined to criticize. But it did not make him a hero abroad, especially in the Soviet Union.

Moreover, it did not make Mr. Kennedy a hero to himself. It gave him a definite inferiority complex. Here was a handsome young President, elected on the promise of giving the United States a new image in foreign affairs, yet he knew in his heart that he had failed. Prestige counts heavily with every human being, especially with men who represent nations; so the President of the United States sought to recoup his prestige and that of the United States. He invited Khrushchev to the meeting that only two months earlier he had vetoed.

Against this background, the Vienna Conference took place in May 1961, a moment when Kennedy was suffering from the Bay of Pigs fiasco and when Khrushchev was growling both privately and publicly over having had his earlier overtures of friendship rebuffed. "I told young Mr. Kennedy that if he wants war, he can have war," Khrushchev later told me that summer during a very frank interview on the shores of the Black Sea.

"Mr. Kennedy told me," Khrushchev reported, "Our forces are now equal. We can destroy each other."

"Yes, Mr. President," I replied, "I agree,



though in my heart I feel we are stronger. But I agree on the policy of equality. We regard the strength of the United States in a very serious light."

"We have to judge governments by their actions," I told him, "and the United States has now increased its defense budget, you have ordered the mobilization of more men, and you have ordered more bombers. These are not toys. The United States has now dispatched 1,500 additional troops to Berlin. This is a clear threat."

"I told Mr. Kennedy," Khrushchev continued, "that if he sent 50,000 troops to Berlin, it would offer us an opportunity to send even more troops; since we had more troops than he in closer to Berlin. If you introduce more troops to Berlin," I told him, "it will be a very unwise step."

Kennedy's Vienna Conference with Khrushchev got nowhere, and he returned to Washington a very shaken man. On the plane flying across the Atlantic, Kennedy advisers reported that he seemed more depressed than at any time in his life. He talked about the probability that his children might live under war. The first thing he did on arriving home was to get a military appraisal of the number of lives which would be lost in an atomic war.

I dined with President Kennedy three days after he had returned from Vienna. He was still in a very depressed mood. He said he did not see how the United States could get through the summer without war. Khrushchev, he said, was under obligation to the East Germans to sign a separate peace treaty. This, he said, would bring war. The next morning the President suffered a recurrence of his back injury and was confined to his bed for the next few weeks. Officially it resulted from planting a tree at a dedication. Some doctors, however, said it was psychosomatic; the result of his talk with Khrushchev.

Toward the end of the month, I was invited on a cruise down the Potomac by then Vice President Lyndon Johnson, in honor of the Premier of South Vietnam. On the yacht was Walt Rostow, Kennedy's national security adviser, who had been with him in Vienna. Rostow was glowing with pride over the results in Vienna. "Our President looked straight down the gun barrel of atomic war," Rostow said, "and he did not flinch."

I am sure this was true. But I am also sure that there was no necessity whatsoever for this confrontation. Had John F. Kennedy taken the advice of Adlai Stevenson, Chester Bowles, Senator Cooper, and others to meet Khrushchev halfway during the early months of 1961, he would never have had to look down that gun barrel.

By this time, however, Khrushchev had the bit in his teeth. He had been embarrassed by Kennedy's refusal to see him in New York in March. The Chinese and the big missile men in the Kremlin were taunting him over the increased military budget of the United States. At Vienna Khrushchev, the son of a peasant and a shrewd trader, knew he had the upper hand with Kennedy, but back in Moscow, his hand was being called. He had argued that war with capitalism was not inevitable, that coexistence was the only substitute for atomic war and the end of civilization. But his gestures toward the United States had not been reciprocated.

I wrote at the time that Khrushchev and Kennedy were acting like "little boys with Halloween masks frightening each other into war."

A few weeks later, Khrushchev built the Berlin Wall, and there followed a hue and cry from American right-wingers that we move in and tear it down.

On August 17, while the wall was still being perfected, I was conducting the aforementioned interview with Khrushchev on the shores of the Black Sea. The formal interview extended into a series of talks lasting two days, during which time we swam, break-

fasted, and dined together. Khrushchev started off on a serious, formal note, but later relaxed and came forth with amazingly frank statements about his concern for the peace of the world and his problems with American leaders. It was at this time that he told of his hopes that Kennedy might be elected President over Richard Nixon.

"In October 1960," he said, "the American Ambassador came to see me and wanted to release the American RB-47 flyers as a gesture to show that our two countries could work together. 'No,' I replied, 'this would only help Nixon, and we're voting for Kennedy.' And inasmuch as Kennedy was elected by a very narrow margin, I figure that we elected him."

As Mrs. Pearson and I were saying goodbye to Khrushchev two days later, he said: "Please tell Mr. Kennedy that if the United States and Russia stand together, no country in the world can start war."

I delivered this message to Kennedy four days later under very unfavorable circumstances. Twenty minutes before I saw the President in the upstairs living room of the White House, he had received word from the Atomic Energy Commission that the Soviet government had resumed nuclear testing. Khrushchev had hinted to me that this might take place. Though I did not take him seriously. He was under great pressure from the generals in the Red Army, he said, to resume testing because of their belief that American nuclear production was far ahead of that of the Soviet Union. He was also under pressure, he said, because Kennedy had called up the Reserves, to continue the class of the Red Army about to be mustered for another tour of duty. President Kennedy was so upset over the news that the Soviet Union had resumed nuclear testing that I am quite sure my report on the interview with Khrushchev made scant impression.

My talk with Kennedy took place in the last days of August 1961, and the next month he sent Rostow and Gen. Maxwell Taylor to Saigon to make recommendations on what policy the Kennedy Administration should follow in South Vietnam. John Kenneth Galbraith heard about their trip from his post in India and flew back to Washington to try to influence its final result, or at least negate it with Kennedy. He knew that Rostow, the hawk, was likely to recommend military intervention. That was exactly what he did. And it was at this crucial point that President Kennedy made the first major military commitment in South Vietnam. Hitherto, the level of troops had been kept to 1,000 so-called military advisers, sent by former President Eisenhower. But in September 1961, Kennedy sent 18,000 men and later upped this to 30,000.

George Ball, then Under Secretary of State, who opposed the escalation, is convinced that the President made it because he had suffered a series of defeats—first at the Bay of Pigs, later in Vienna, later with the Berlin Wall. By sending troops to Saigon, he was determined to recoup his prestige and that of the United States. Thus mistake built upon mistake; the early rebuff to Khrushchev, the Bay of Pigs, the failure to remove American missiles from Turkey, Khrushchev's nuclear rebuff to the United States—all pointed toward the showdown over Cuba when the United States and Soviet Russia stood eyeball-to-eyeball on the brink of war.

I do not mean to say that mistakes were not also made by the Kremlin. I am sure they were. But I was not privy to conversations inside the Kremlin, as I was to conversations with American leaders. I can only report factually on American mistakes. There were enough of these to have precipitated the Cuban missile crisis by themselves, without those made by the Soviets. Undoubtedly Khrushchev's biggest mistake was to misjudge the United States by sending the missiles to Cuba in the first place.

The lesson to be learned from these mistakes is herewith spread out for Mr. Nixon. The tides of peace are like the tides of man. They must be ridden on the crest, not on the ebb. On the very day that Mr. Nixon was delivering his inspiring Inaugural speech pledging his all-out effort for peace in the world, the Soviet government was officially offering to begin talks with the United States on limiting offensive and defensive missiles just as soon as Mr. Nixon was ready. As I read the announcement, I couldn't help thinking that this is where I came in with another President's Inauguration on January 20, 1961.

#### KEY ISSUES AFFECTING UNITED NATIONS—REPORT BY SENATOR SYMINGTON

Mr. EAGLETON. Mr. President, my colleague from Missouri (Mr. SYMINGTON), who is a distinguished member of the Committee on Foreign Relations, served as a member of the U.S. delegation to the recent session of the United Nations General Assembly.

During this period he had an opportunity to participate in debates and discussions and served on the First Committee, dealing with political and security matters, and the Second Committee, responsible for economic and financial issues.

In a report to the Committee on Foreign Relations concerning his experiences, he summed up his views on a series of key issues affecting the United Nations. A limited number of complete copies of the report are available on request.

I ask unanimous consent that excerpts from the Symington report be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

#### SYMINGTON REPORTS ON UNITED NATIONS GENERAL OBSERVATIONS

The United Nations is not the ideal organization many had envisioned; but it is by far the best—actually the only—forum where nearly all the countries of the world can discuss international problems.

Some say the United States is not obtaining its "money's worth" from its participation in the United Nations. These critics should ponder the fact, however, that the total 1968 U.S. contribution to this organization including all auxiliary agencies, special programs, and peacekeeping forces, is less than the 4-day cost of the Vietnam war; in fact the total U.S. contribution to all aspects of the United Nations since its inception in 1946 is less than the cost of 5 weeks of that war.

#### RIISING ROLE OF THE SMALL COUNTRIES

All nations, regardless of size, have an equal vote in the General Assembly. As a result the increasing number of less developed nations, approximately 90 in all, has produced a powerful voting bloc against the more developed countries, far out of proportion to either their political power as individual nations, or their financial contribution to the organization itself.

This is not to suggest every country should be required to contribute an equal share of the United Nations budget; but there are developed countries as well as less developed countries which could, and should, contribute a larger share to an organization from which they too derive substantial benefit.

The rising role of the less developed countries, expressed through the increasing voting power of their bloc, is a development which the United States and other developed

nations of the world should give full recognition in assessing the future role of the United Nations. Under the existing system, programs are passed and financial assessments often made over the objections of the United States and other developed countries.

#### VIETNAM

The issue of U.S. involvement in Vietnam continued to have a disrupting influence on U.N. discussions. This effect on U.S. prestige is just one more reason for doing everything considered possible to extricate our Nation from this tragic and costly involvement.

#### CHINA QUESTION

The United States has not and will not support any proposal which would result in the expulsion of Taiwan and the admission of Communist China. I fully support that position. But, in my opinion, every effort should be made by our Government to have the United Nations state it would not object to the People's Republic of China joining the U.N.

It has long been my belief that the policy of the U.S. Government toward Communist China has been an unrealistic one. I have asked consistently, "Why should we continue to turn our back on some 700 million people whose leaders say they desire to stab you in the back?"

Now that all peoples are beginning to realize the true implications of a nuclear exchange, it would appear that a change in our China policy is long overdue.

#### UNITED STATES-SOVIET ARMS REDUCTION TALKS

In July 1968, at the time the Non-Proliferation Treaty was signed, the United States and the Soviet Union agreed to enter into discussions with respect to possible limitation and reduction of offensive strategic nuclear weapons delivery systems and systems of defense against such missiles.

Let us hope that both countries carry out the spirit and letter of that preliminary agreement and proceed with these discussions at an early date; because if some accord cannot be reached calling for a limitation in our respective missile system, a prolonged, costly, and dangerous escalation in the arms race is inevitable. For the United States that would mean that the costs for strategic arms would rise to at least \$30 billion annually; and could rise to a great deal more.

#### KOREAN QUESTION

The resolutions cosponsored by the Soviet bloc and other supporters of North Korea have one common purpose: They are designed to force the United Nations to end its vital role in preserving peace and security in Korea and in seeking the establishment of a unified, independent, and democratic Korea by peaceful means.

Rather than introduce these hostile resolutions year after year, I would hope that the supporters of North Korea would become genuinely interested in the peaceful reunification of Korea and the development of peace and stability in Northeast Asia.

#### THE "PUEBLO"

While serving as delegates to the United Nations, my colleague, Senator John Sherman Cooper, and I made several attempts to instill life into the sterile negotiations which had been going on for months prior to the release of the crew. In this connection, we made two suggestions which we thought would be helpful in obtaining the crew's release. Both of them have been classified secret by the State Department and we are not at liberty to discuss them in this report.

#### PEACEKEEPING

Because of political difficulties, neither the Security Council nor the military staff committee has been able to carry out the peacekeeping functions which were assigned to them under Chapter VII of the United Nations Charter; and the Secretary General,

therefore, has assumed the responsibility for administering peacekeeping operations.

Under these conditions, he should be provided with a professional staff adequate to conduct these operations on at least a reasonably effective basis, and a military staff of sufficient size and capability to plan properly the organization, support and control of any approved peacekeeping operations. Obviously peacekeeping missions have political overtones; but the actual conduct of operations are military, and their tactics should be planned and carried out by people with military training.

Let us hope, therefore, that the U.S. representatives will continue to impress upon the Secretary General the importance of his maintaining an Office of Military Adviser in the Secretariat.

#### FINANCING THE UNITED NATIONS

The Senator said he found "disturbing" the latest report on the "continuing deterioration of the U.N. financial position."

Outstanding assessed contributions, all accounts, totaled over \$178 million; and of this amount, almost \$36 million is outstanding re the regular budget for 1968.

Over the years the United States has contributed over \$3 billion, or 45 percent, of all United Nations programs to date. This ratio of contributions added to our growing financial problems, would appear high. With that premise we believe the U.S. Government should take a new look at continuing this percentage of support. We believe in the United Nations, without reservation. But we also believe that the unprecedented prosperity of many member countries should be expressed in practical fashion through greater percentages of contributions. Security and well-being through peace is as important to them as it is to the United States.

#### THE 23D GENERAL ASSEMBLY

Some have observed that this 23rd session of the General Assembly will be noted for what it did not accomplish rather than for its accomplishments. It did not deal in any formal fashion with such obvious and pressing problems as Vietnam, Czechoslovakia, the Middle East, and Biafra.

It did decide, however, to convene an international conference on the human environment to consider the problems of sea, air and earth pollution; and it established a permanent committee to advance international cooperation in the exploration and peaceful uses of the seabeds and deep ocean floor.

#### U.S. REPRESENTATIVE

Almost everyone with whom we talked, in and out of the United Nations, were of the view that the U.S. Representative to the United Nations lacked adequate prestige and authority to carry out the job in an effective and efficient manner. The post of U.S. Ambassador is one of the highest importance. It should never be regarded as a relatively unimportant adjunct to the State Department.

#### THE COMPREHENSIVE COMMUNITY COLLEGE ACT OF 1969 SEEKS RELEVANT CURRICULUM PROGRAMS WITHIN A RESPONSIVE EDUCATIONAL INSTITUTION

Mr. RANDOLPH. Mr. President, the distinguished Senator from New Jersey (Mr. WILLIAMS) recently discussed the Comprehensive Community College Act of 1969 before a governmental relations luncheon for educators in Washington. His cogent remarks clarify the role of private 2-year colleges; the definition of "comprehensive"; the nature of the State agency; and the need for local institu-

tional responsibility outlined in this measure.

Senator WILLIAMS' comments are timely. They should answer most of the issues that have been raised about our intentions with regard to the proposed Comprehensive Community College Act. In addition to answering specific questions, the Senator from New Jersey set the tone for our consideration of this important legislation by stating:

I consider myself one who is learning; and one who is flexible; and one who is ready to hear suggestions as to how we can meet the objectives of this bill.

Mr. President, as a sponsor of the Comprehensive Community College Act, I associate myself with these remarks. I ask unanimous consent that Senator WILLIAMS' speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR HARRISON A. WILLIAMS, JR., BEFORE THE GOVERNMENTAL RELATIONS LUNCHEON GROUP AT THE JEFFERSON HOTEL, MARCH 26, 1969

By now most of you have read or heard about the Comprehensive Community College Act of 1969. The purpose of this Act is to assist States in providing post-secondary education to everyone. We want to make sure that this education is suited to the needs, interests and potential benefit of the total community. The community college is best suited to provide this service: Its low cost to students—proximity to those it is designed to serve—flexible admissions arrangement—strong counseling and advising programs—and other varied education services are responding to the lack of relevance in traditional education.

Mayor Carl Stokes of Cleveland recently said: "I regard the junior college movement as one of the most hopeful and promising developments on the national scene today. After decades of regarding higher education as a special privilege for those who could afford it, we are now approaching the day when no student of ability will be denied the opportunity to develop his mind and talents."

He compared the need for higher education to get involved with the urban crises—similar to their response to the needs of agriculture fifty to one hundred years ago. He said:

"The Agriculture Extension Program was a recognition that universities and colleges had a responsibility that went beyond education and research. Helping farmers with new technology to increase their productivity extended the definition of the role of the university into the area of public service. Somehow it was appropriate to assist the farmers, but to aid poor people of the inner city and of the rural countryside has not become equally appropriate. . . . In some respects, the junior college is the urban counterpart of the agriculture extension school. The distinguishing feature of the community college is its clear goal of service to the community."

When Carl Stokes speaks about education and when I speak about education, we speak not as professional educators. Our concern is to encourage a relevant curriculum program for all those who attend, and find an institution which is involved in the work and aspirations of the community it serves.

Until recently, many institutions have waited too long to get involved. I am hopeful that there is a trend in this direction for all centers of learning—from the elementary schools and the day care centers through the sophisticated and elite post-doctoral training centers around the country. My approach to community colleges is based on this hope.



And I think that the third of the Senate which has joined me in sponsoring this legislation shares this same commitment.

Community colleges are in search of an identity—they are not second-class citizens—and that is what this bill is all about. The biggest service that each of us can make to the future of education is to recognize this need, solve it, and not force community colleges to conform to traditionalism.

This bill undoubtedly has raised a lot of questions—possibly more than it will settle. But I am hopeful that soon after the Senate acts on the extension of the Elementary and Secondary Education Act, there will be an opportunity for hearings on this bill. In the meantime, I consider myself one who is learning. And one who is flexible. And one who is ready to hear your suggestion as to how we can meet the objectives of this bill.

To this end, I wish to clarify my definition of "comprehensive". By "comprehensive" I mean a two-year post-secondary education program which provides occupational-technical and adult continuing education, community services, developmental, counseling, advising, and lower division university parallel programs.

Since the bill includes private and public junior or community colleges, the question has been raised: To what extent will private and, in some cases, public institutions be required to meet every aspect of this definition? If we lived in an ideal world, I would say every institution should have these programs. But I recognize that we do not.

Practically speaking, the technical aspects of these programs will in many cases require duplication of effort within a community and will result in too much money being spent on hardware. Therefore, when the institutions which do not have this commitment or scope become involved in the planning of the master plans at the State level, they could resolve this problem through a consortium—or reflect in the master plan a combination of private and public facilities that offer the comprehensive programs to the total community.

If the private or public institution has an exclusionary admissions policy and concentrates all of its efforts on a transfer program, then it will not be included. If, on the other hand, the community requires an emphasis on transfer programs but not to the exclusion of community service, career, and remedial programs then they would be eligible. I hope this clarifies my intentions for some of you who have raised this question.

Community colleges are at a different level of development from State to State, the development and the one-year planning of the master plan will resolve these problems at a State level where they should be resolved. For example, the two-year branch campuses of the university system in Wisconsin and Kentucky will be covered by this bill. The post-secondary vocational schools will be covered also.

Another point which needs some clarification is the State agency which will carry out the provisions of this Act. Flexibility is the intention here. We do not want to disrupt organizational harmony where it exists. On the other hand, this legislation should help to resolve jurisdictional disputes where confusion and dissatisfaction prevail. Since each State is unique with respect to this problem, I am hopeful that the hearings will provide sufficient direction to meet the intention of this Act.

One of the tasks of the Advisory Committee which is established under this bill, will be to develop criteria for the Commissioner of Education to evaluate the viability of this agency and its responsiveness to community college needs.

In closing, let me make one additional comment. The final form which this bill takes will include a provision to make sure that community colleges retain and maintain local authority and responsibility for the carrying out of their services to the

community. The danger of conformity is strong for community colleges as they mix with other institutions of higher learning. It could be equally strong and devastating if these same pressures require the community colleges to conform to State jurisdiction alone.

At the same time these two-year institutions must make sure that they are community colleges, not "junior" colleges. This bill is to develop community colleges.

Those of you who represent the more established and experienced areas of higher education can ensure the development of these community colleges. After all, in many ways they provide the training ground for the rigorous paces you have waiting for them in your upper division programs and graduate schools.

#### PROPOSALS TO SUBSIDIZE DONATIONS OF MILITARY CONTRACTORS

Mr. METCALF. Mr. President, I was amazed to read in Saturday's Washington Post that the Pentagon has proposed that the taxpayer foot the entire bill for the donations of military contractors.

At present the Government subsidizes, through income tax deductions, a portion of the contributions to charitable and educational organizations by corporations and individuals. In effect the Government matches the corporation's or individual's contribution, thereby providing an incentive to donors. The percentage amount of the Government's contribution depends on the tax bracket of the individual or corporation. At present, of course, with corporation tax at the 48-percent tax rate. Government provides almost \$1 for every dollar contributed by a corporation.

The policy now under consideration goes far beyond the present incentive system. It would include all contributions as operating expenses. In other words, they would be in the same category as hardware, labor, plant investment. The taxpayer would pay the entire amount of the contributions, for which the defense contractor would get the credit.

Mr. President, what is here proposed is putting defense contractors on a utility basis. For years, utilities in a majority of the States have been permitted to include their contributions as operating expenses, rather than merely as tax deductions. This is not true in all States. The weakness of such a lenient policy toward utilities—and the argument would apply with equal force toward defense contractors or any corporation—was well stated by Ray E. Untereiner, a former member of the California Public Utilities Commission whose background also included service as an economist for the National Association of Manufacturers. Mr. Untereiner expressed his doubts in this way:

I do not question for a moment that utilities must participate in business organizations and contribute to civic undertakings and charities; and these things cost money. There is a real question in my mind, however, whether they should expect the rate payers to contribute toward these costs. Since it is the utility that gets the public credit for a contribution to the Community Chest, for example, it would seem reasonable that it should be the utility that makes the sacrifices; that the stockholders rather than the rate payers, should pay the bill.

Substitute "defense contractor" for

"utilities" and "taxpayer" in Mr. Untereiner's comments and we have a telling argument against the Pentagon's proposed policy. The California commission, bucking the lenient national trend of State utility commissions in this respect, upheld the Untereiner argument. The commission ruled, in the Pacific Telephone & Telegraph case in 1964, which was subsequently upheld by the California Supreme Court, "henceforth to exclude from operating expenses for ratefixing purposes all amounts claimed for dues, donations, and contributions."

The telephone company, said the California commission, "should not be permitted to be generous with ratepayers' money." Nor should defense contractors be permitted to be generous with taxpayers' money.

Why cannot a defense contractor help his community on the same basis as a small businessman or an individual? Why does he need preferential treatment? Is he less civic minded, less patriotic? I think not. Rather, this proposed policy shows, I fear, that they are more profit minded and, being awesomely powerful in Government, are exercising that power to make more profit.

Mr. President, I am disturbed by another aspect of this proposed new policy. A number of the organizations which are defined as charitable and educational organizations under the tax-exemption provisions of the Internal Revenue Act are uncharitable exponents of rightwing education. They presently enjoy contributions from a number of defense contractors and utilities. How wonderful it would be for these organizations—such as the American Economic Foundation, the Foundation for Economic Education and America's Future—which write of the rigors of free enterprise and the malevolence of Government, to have a spigot from the U.S. Treasury manned by the large companies that have already given them more than their due.

On the other hand, an outstanding conservation organization, the Sierra Club, is excluded from this Internal Revenue Service list because of an arbitrary ruling by the IRS.

Furthermore, Mr. President, it is passing strange that this new policy which would cost the taxpayers tens of millions of dollars, is proposed now by an administration which is also, it says, trying to reduce unnecessary Federal expenses.

I think the taxpayer should give to the charity of his choice, not the choice of a utility or contractor who gets the public and tax credit for the donation.

Mr. President, I ask unanimous consent to have printed in the RECORD the April 12 Washington Post article written by Laurence Stern. It is entitled "Pentagon May Repay Firms' Charity Gifts."

Mr. President, I also ask unanimous consent to insert in the RECORD the proposed Defense Department regulations to which I have referred.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Apr. 12, 1969]  
PENTAGON MAY REPAY FIRMS' CHARITY GIFTS  
(By Laurence Stern)

The Pentagon is proposing that it repay its contractors for their contributions to charities and educational organizations.

If adopted, the new regulations would provide many millions of dollars in reimbursements for costs now disallowed under a ten-year-old Defense Department ruling.

The recommendation is also being circulated among three other big Federal Government spenders—the Atomic Energy Commission, National Aeronautics and Space Administration and the General Services Administration.

Industrial and trade groups have already endorsed the proposed new policy. They have sought the change for some time.

"We know of many contractors who are the heart and soul of their communities," one Defense Department spokesman explained. "It's necessary that they contribute to such groups as Red Cross and United Givers or else the association dies."

"The question is whether it shouldn't be recognized that this is a valid cost of doing business."

The proposal was drafted and circularized by Capt. E. C. Chapman, chairman of the Armed Services Procurement Regulation Committee, the Pentagon's top procurement policy board.

Chapman said he could not assign a dollar amount to the effect of the change.

#### PENTAGON SEEKS TO AID CONTRACTORS

Under the proposal the Defense Department would repay contractor donations up to a tenth of 1 per cent of the total contract. Alternatively the contractor could get back an average for his past two years' contributions to charity. The Pentagon would pay whichever of these amounts is lower.

Currently the Pentagon is paying out \$45 billion a year in procurement contracts. A tenth of 1 per cent would amount to \$45 million—although this is by no means a precise indicator of how high the reimbursements would run. That figure was not available.

Final action on the proposal could come as early as a month from now after responses are in from the other agencies.

Currently repayments are allowed by the Pentagon under fixed price contracts. It would extend this practice to cost-reimbursable and fixed price incentive contracts, which make up the lion's share of Defense Department contracting activity.

Capt. Chapman said the proposal would apply for groups defined as charitable and educational organizations under the tax exemption provisions of the Internal Revenue Act.

#### OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE,

Washington, D.C., January 15, 1969.

Attached is a proposed revision to ASPR 15-205.8 Contributions and Donations.

Under present ASPR coverage contributions and donations are unallowable costs. The proposed revision would permit reimbursement to contractors for such payments made in accordance with the Internal Revenue Code, however, with limitations on the amount that can be charged in any one year.

We would appreciate receiving your comments (25 copies if convenient) within the next 45 days.

Sincerely,

E. C. CHAPMAN,  
Captain, SC, U.S. Navy,  
Chairman, ASPR Committee.

#### 15-205.8 CONTRIBUTIONS AND DONATIONS

(a) (CWAS) "Charitable contributions" as defined in subsection (c), and payments for which are made in accordance with subsection (a), of Section 170, Internal Revenue Code of 1954, as amended, are allowable as indirect costs in a cost grouping provided they do not exceed the lesser of:

(1) the average annual expenditures by the contractor for such contributions and donations for that same cost grouping during the

contractor's preceding three fiscal years; or  
(ii) one-tenth of one percent (0.1%) of the total costs incurred for all work of the contractor to which the cost grouping is applicable during the current year.

(b) (CWAS-NA) Contributions and donations other than those defined in subsection (c) of Section 170 of the Internal Revenue Code of 1954, as amended, are unallowable.

THE ASSOCIATED GENERAL  
CONTRACTORS OF AMERICA,  
Washington, D.C., March 24, 1969.

Capt. E. C. CHAPMAN,  
U.S. Navy, Chairman ASPR Committee, Office  
of the Assistant Secretary of Defense,  
Washington, D.C.

DEAR CAPTAIN CHAPMAN: We have reviewed the proposed revision to ASPR 15-205.8 pertaining to contributions and donations. No recommendations have been received from AGC Task Units suggesting changes.

Thank you for the opportunity to review this proposal.

Sincerely yours,

D. A. GIAMPAOLI,  
Director, Heavy-Utilities Division.

ENGINE MANUFACTURERS ASSOCIATION,  
February 12, 1969.

E. C. CHAPMAN,  
Captain, U.S. Navy, Chairman, ASPR Com-  
mittee, Office of the Assistant Secretary  
of Defense, Washington, D.C.

DEAR CAPTAIN CHAPMAN: We have advised our members of your proposed revision to ASPR 15-205.8. Responses received are favorable. Should any other comments be received, I will advise you.

Cordially,

THOMAS C. YOUNG,  
Executive Director.

COUNCIL OF DEFENSE AND SPACE  
INDUSTRY ASSOCIATIONS,  
Washington, D.C., February 28, 1969.

Capt. EDGAR C. CHAPMAN, JR., (SC),  
U.S. Navy, Chairman, ASPR Committee, Of-  
fice of the Assistant Secretary of Defense  
(I. & L.), the Pentagon, Washington,  
D.C.

DEAR CAPTAIN CHAPMAN: As member associations of the Council of Defense and Space Industry Associations, we are pleased to respond to your letter of January 15, 1969 with our views concerning proposed revision of ASPR 15-205.8, Contributions and Donations. Member companies of our Associations indicated that they appreciate the recognition by DOD of the fact that Contributions and Donations are normal business expenses and are being recognized as such and therefore the member associations of CODSIA are not suggesting any changes in the proposed revision at this time.

We do wish to reflect a view expressed by some member companies of our Associations relative to the limitations to be imposed on those companies not CWAS qualified. Use of the average of the prior three (3) years expenditures for contributions and donations as a limit does not give recognition to current inflationary trends. Also, the percentage limitation of total costs incurred might prove unduly restrictive in those cases where volume is significantly changing as the result of major reprogramming. We suggest it may be desirable that you give further consideration to the specific limitations.

We note that ASPR 15-205.44(e) treats with the allowability of grants to educational or training institutions, etc. and is in conflict with the proposed revision to ASPR 15-205.8. The member associations of CODSIA are preparing comments on ASPR 15-205.44 and as an interim action to avoid confusion, we suggest modifying ASPR 15-205.44(e) to read as follows:

"(e) Grants to educational or training institutions, including the donation of fa-

cilities or other properties, scholarships or fellowships, are considered contributions and are subject to ASPR 15-205.8."

We again express our appreciation for this opportunity to comment and the recognition given to this necessary and normal business cost.

Very truly yours,

EDWIN M. HOOD,  
President, Shipbuilders Council of America.  
JOSEPH M. LYLE,  
President, National Security Industrial  
Association.

KARL G. HARR, JR.,  
President, Aerospace Industries Asso-  
ciation.

ROBERT W. BARTON,  
Vice President, Western Electronic  
Manufacturers Association.

KENNETH M. JACKSON,  
Chairman, Procurement Regulation  
Committee, National AeroSpace  
Services Association.

JAMES G. ELLIS,  
Manager, Defense Liaison Department,  
Automobile Manufacturers Association.

WILLIAM H. MOORE,  
Vice President, Electronic Industries  
Association.

AMERICAN INSTITUTE OF  
CERTIFIED PUBLIC ACCOUNTANTS,  
New York, N.Y., February 28, 1969.

E. C. CHAPMAN,  
Captain, S.C., U.S. Navy, Chairman ASPR  
Committee, Office of the Assistant Sec-  
retary of Defense, Washington, D.C.

DEAR CAPTAIN CHAPMAN: The proposed revisions to ASPR 3-408 and 7-802.5, 15-205.8 and 15-204.34, have been circulated to all members of the Institute's Committee on National Defense for review and comment. Individual committee members have submitted comments on certain of the proposals which are attached herewith. However, the comments should not be regarded as a consensus of the entire committee but rather a compilation of individual views.

Effective January 1, 1969, Mr. Bruce N. Willis resigned his position with the American Institute of CPAs to accept a position in public accounting. Therefore, will you please direct future correspondence to my attention.

Sincerely,

THOMAS R. HANLEY,  
Manager, Special Projects.

#### PROPOSED REVISION TO ASPR 3-408 AND 7-802.5, DEFINITIZATION OF LETTER CONTRACTS

Committee members commenting upon this proposed revision are of the opinion that approval of the proposal should be deferred. They believe that a more equitable division of responsibilities between the government and contractors with respect to the "definitization of letter contracts" should be considered. Some of the reasoning offered by committee members in arriving at this opinion follows:

The proposed change in the above regulations puts too much of the burden on the contractor for the completion of a definitized contract. Typically, the Government has as much at stake in delaying the completion of a finalized contract as does the contractor. The proposed change in the wording seems to take too much of the responsibility away from the Government and places it upon the contractor.

The contractor may have valid and good reasons for delaying the definitization of a letter contract. Quite often the "state of the art" is such that it is difficult to be committed to a price without further experience. Also, the contractor must adhere to the "truth in negotiation" regulations which



could work to his detriment if he does not have sufficient time to obtain all the necessary information, particularly from subcontractors, to properly negotiate with the Government and definitize a contract.

If it is important to have letter contracts, then it is also important to allow adequate time to complete whatever documentation is necessary for definitizing the contract. It is obvious that the burden of proof cannot be entirely placed upon the contractor as this proposed change seems to do.

#### PROPOSED REVISION TO ASPR 15-205.8, CONTRIBUTIONS AND DONATIONS

The consensus of committee members commenting on the proposed revision is a concurrence with the ASPR Committee's recommendation that contributions and donations made by defense contractors be allowed as indirect costs. Members believe, however, that the limitations placed upon the amount of contributions that can be included as allowable costs is much too restrictive. Some members believe it is acceptable to require that there be some history of what would be an acceptable base for the contribution, such as the proposed three-year average, but do not believe the lesser of the three-year average or some percentage is necessarily acceptable. Local charitable organizations, in fact, might be in the position of making an assessment against companies irrespective of the nature of their business for their annual needs. These demands are frequently based upon so much per employee and accordingly any organization that is growing is requested to recognize that growth in their contribution. While the percentage would permit the recognition of growth, some believe the percentage that we are starting out with is much too low a figure to be realistic.

The percentage does not recognize the position that a company might carry within a given community. In one community, a defense contractor may be a prime business organization and accordingly, the largest contributor to the various charitable organizations supported by the community. In another situation, a defense contractor may be a very nominal part of a community and have had very little demands made upon it. Prior experience has probably been the most meaningful restraint that can be placed upon the amount of contributions that would be allowable.

The phrase "in a cost grouping," which is used in the proposed revision, should be defined or deleted.

#### PROPOSED REVISION TO ASPR 15-204.34, RENTAL COSTS

Members of the committee who have commented on the proposed revision to ASPR 15-205.34 strongly recommend that implementation of the proposed changes be deferred.

Members believe that the proposed revision to this section of ASPR XV should be considered with other related sections of ASPR so that the entire subject can be considered in total. In addition, the following specific comments on the proposed revision were offered:

1. The costs of property taxes as set forth in paragraph (d) (2) on page 3 should include property taxes.

2. The proposed changes will require more accounting justification, more judgment, and result in more arguments than the net effect will probably justify.

3. With the increased business practice of leasing property, nonrecognition of the total leasing costs is contrary to current business practices.

4. Clarification of paragraph (b) (2) is needed. Under the definition of long-term leases no provision is made for those instances where a lease originally started as a short-term lease is continued at the end of the lease on a month-to-month basis with-

out a formal document extending the lease. Under these circumstances, the lease could change from a short-term lease to a long-term lease without any documentary evidence to support it.

5. The proposed revision has attempted to set forth the criteria to be used in determining whether it is more economical to lease property, continue to lease a particular property, or to own it. Because there is so much judgment involved in such matters, it is doubtful that criteria can be developed that will be uniformly used and understood.

#### FINANCIAL EXECUTIVES INSTITUTE, New York, N.Y., February 25, 1969.

Capt. E. C. CHAPMAN, SC,  
U.S. Navy, Chairman, ASPR Committee, Office of the Assistant Secretary of Defense (I. & L.) The Pentagon, Washington, D.C.

DEAR CAPTAIN CHAPMAN: We have for acknowledgement your request for comment on the proposed revision to ASPR Section 15-205.8, Contributions and Donations.

We are naturally pleased that Contributions and Donations are now to be brought under the CWAS formula and to be recognized as a necessary cost of doing business. We are also in agreement with the principle that the limits of allowability be made generally consistent with the provisions of Section 170 of the Internal Revenue Code of 1954, as amended.

In view of this change in policy, it appears to us that the tight limitations imposed by Paragraphs a(1) and a(11) have the effect of building back into the regulation a substantial disallowance of this type of cost. We believe it would be more consistent with the policy to adopt the principles and the limitations of the Internal Revenue Code.

If Subparagraphs (1) and (11) of (a) are to be retained, we think the phrases "for that same cost grouping" in Subparagraph (1) and "to which the cost grouping is applicable" in Subparagraph (11) should be deleted. It is not clear what is meant and we do not believe it would have any material effect. Contributions are generally a G&A type expense which is distributed across an entire base rather than selectively.

We appreciate the opportunity to comment on the proposed change.

Very truly yours,  
W. STEWART HOTCHKISS,  
Chairman, Government Procurement Policies Committee, Financial Executives Institute.

#### THE ABM SYSTEM IS A DISASTER

Mr. FULBRIGHT. Mr. President, the former general counsel for the Department of Defense, Mr. Roger Kent, of California, has written to the editor of the San Francisco Chronicle an extremely perceptive and concise letter about the ABM. The letter was published on April 7, 1969, and deserves wide circulation. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[From the San Francisco Chronicle, Monday, Apr. 7, 1969]

#### THE ABM SYSTEM IS A DISASTER

EDITOR: I have the strongest feelings about the ABM system. I see it as contributing nothing good, and much that is disastrously bad.

Will it work? Nearly all disinterested scientists say no. Even if it would work against today's missiles, will it work against those available when it is installed in five years? Furthermore, it has either got to be acti-

vated electronically or by a man's decision. I don't want my fate in the hands of a computer, and I don't see how it would be possible to reach the President for a decision in the minutes that are required for effective defense.

It is necessary? The planned ABM will, as we know, protect only two missile bases, one in South Dakota and the other in Montana. It is probable (as we hear) that they represent no more than 10 per cent, or at the most 20 per cent, of our deterrent capacity. These and other bases, SAC and the Polaris submarines just cannot be all destroyed in open surprise attack (and who says the Russians plan one). We would have, and the Russians know it, the power to mortally wound them, and who would be around to pick up the pieces? Those "friendly" Chinese, that's who, and the Russians know it. What are the dangers internationally? The reactions of the Russians and Canadians are in.

The Russians regard it as an armaments threat, and we can be sure, based on their past internal armament policy and on their response in Vietnam, that they will meet the challenge. Here we go again with vast and wasteful expenditures which will serve only to preserve (but at a higher and more dangerous level) the standoff that exists today.

The interception of missiles aimed at the South Dakota and Montana bases by ABMs will almost certainly take place over Canada. I predict that all hell will break loose when the Canadians come to a full realization of the consequences of the President's proposal. Relations will be strained.

What is the cost and what are the consequences of the cost? It is estimated now that the thin system proposed will cost \$6.6 billion. The average man can hardly gauge the immensity of that sum, but it would be enough to clean up the slums in a dozen cities and in addition buy all the beaches and parks that have been proposed. Senator Mansfield has correctly stated that at this moment in history the internal dangers to our country exceed the external. For those of us who can read and see, he's got to be right.

It is of course certain that the cost will be greater than \$6.6 billion for even the proposed "thin" system, and furthermore, when that is built, there will be no stopping. It could run to the \$40 billion estimate by former Secretary of the Air Force Stuart Symington. Don't forget how the modest commitment for "advisors" in Vietnam became a half-million man army, with \$30 billion a year expenses and 35,000 Americans dead.

Who is for it and why? The bureaucrats in the Pentagon in and out of uniform will have vastly increased staffs, prestige, promotions, increased salaries and even medals. They will also have many richer friends to go work for when they leave the Pentagon.

Corporations that will build the system are looking down a rosy road of negotiated contracts and assured profits running into the hundreds of millions, if not billions, of dollars.

The President's decision is of course based on Pentagon advice. It's the military-industrial complex speaking, and the advice is bad. I don't mean to impute evil motives to these people in the Pentagon or industry, but I feel that what Woodrow Wilson said (in substance) many years ago is totally relevant: "These men are not evil, but they confuse their own interests with the interests of the public." If the President does not reverse this disastrous decision, the Senate must do it for him, and we concerned citizens must support those senators with the courage to say no.

ROGER KENT.

SAN FRANCISCO.  
(The writer is former General Counsel for the Defense Department.—EDITOR.)

# PEACE IN THE MIDDLE EAST: URGENT BUSINESS

Mr. SCOTT. Mr. President, the situation in the Middle East has become exceedingly critical, and the future peace of the world may be involved.

An editorial published in the current issue of *Prevent World War III* discusses the relevant facts and presents four steps which are necessary for peace in this troubled part of the world. To get peace in the Middle East, we must have first, negotiated settlements based upon mutual recognition of sovereignty, and peaceful coexistence; second, an end to Soviet troublemaking in the Arab world; third, resettlement of the refugees in a way that will end their maintenance by international charity; and fourth, plans for regional development.

The magazine *Prevent World War III* is published by the Society for the Prevention of World War III, Inc., 50 West 57th Street, New York, N.Y., an organization which for the past 25 years has been engaged in studying the causes and methods of preventing international warfare.

I ask unanimous consent that the editorial be printed in the *RECORD*.

There being no objection, the article was ordered to be printed in the *RECORD*, as follows:

## PEACE IN THE MIDDLE EAST: URGENT BUSINESS

(NOTE.—To get peace in the Middle East, we must have: (1) Negotiated settlements based upon mutual recognition of sovereignty, and peaceful coexistence. (2) An end to Soviet troublemaking in the Arab world. (3) Resettlement of the refugees in a way that will end their maintenance by international charity. (4) Plans for regional development.)

In the year and a half since the end of the Six-Day War, the best that can be said about the Middle East is that no new general war has erupted.

On the other hand, tensions between Israel and the Arab states have not decreased and there have been uncounted border incidents. Even more ominous, Soviet penetration in the area has accelerated, with a far greater likelihood of disaster in the event that the present unstable status should explode.

It is clear that the negotiation of permanent peace treaties cannot be longer delayed. So far as American official positions are concerned, both President Johnson and President-elect Nixon—and the 1968 platforms of both the Democratic and Republican parties—have called for peace negotiations.

The Arab states, however, continue to adhere to the intransigent position adopted months ago at their Khartoum Conference: No negotiation with Israel.

## DELAY PERILS PEACE

The mission of Ambassador Jarring has served a useful interim purpose by at least preserving a readiness to "talk about talking" in some Middle East capitals.

With the passage of each month, however, it becomes increasingly apparent that unless the parties to the conflict sit down and work out formally negotiated agreements, we are merely postponing the day of another explosion.

The Israelis, in Foreign Minister Eban's Nine Points enunciated before the General Assembly of the United Nations, set forth a series of discussable topics. The stumbling block, however, comes in the complete refusal of the Arab States to recognize the existence of Israel. As noted elsewhere in this issue of *Prevent World War III*,

even the official Arab Information Center maps distributed in New York and at the United Nations continue to refer to Israel only as "Israeli occupied territory." To ignore so basically actions of the United Nations during the past 20 years constitutes a flagrant disregard for the world community.

There may be many issues between Israel and her neighbors which require adjustment, but the existence of Israel has not been in question in the world's major capitals at any time for more than two decades—and so long as the Arab governments (except perhaps that of Tunisia) continue to adhere to an Alice-in-Wonderland view of the world, peace remains in continual jeopardy.

## U.S.S.R. STIRS TROUBLE

The preservation of this dream-world approach to international politics in the Arab capitals has been made much easier by the action of the Soviets in restoring the armaments of Egypt, Syria and other countries to the point where their military strength (especially in the air) is probably even greater than was the case a year and a half ago. The Soviet Navy has also established a continuing presence in the Eastern Mediterranean which has the unfortunate effect of leading Arab dictators to believe that they have external help ready at hand in the event of trouble.

Finally, Soviet diplomacy has constantly backed up Arab intransigence. Moscow's ideological position, set forth in official publications, continues to blame Israel for "unprovoked aggression," to insist that the Gulf of Aqaba is not an international waterway, and to claim that opening of the Suez Canal is a domestic Egyptian matter.

Any serious analysis of the Middle East as a factor in world peace must begin with recognition of the new Soviet ambitions in that area. (We say "new"—but really old, because the basic geopolitical factors are the same as in the days of the Czars.)

For the first time, Russian warships are a prominent part of the Eastern Mediterranean scene. They have established bases at such places as Alexandria. Obviously, they plan to replace the British Navy as a force East of Suez.

Given these imperialist ambitions, the rearming of Egypt is a natural corollary. Here are some partial specifics: Moscow, since the Six-Day War, has provided Cairo with 150 Sukhoi-7 attack planes, some 210 MIG-21 supersonic jets, and an entire new naval weaponry of 18 missile crafts, 44 torpedo boats, 6 rocket assault vessels, plus minesweepers, landing craft and tugs. There are at least 3000 Russian technicians in Egypt, training Nasser's forces—and more than 300 Egyptian pilots are in the USSR, being taught the use of the MIG-21 jets.

When we read news dispatches about a Soviet readiness to negotiate an end to Middle East tensions, such declarations must be taken in the context of these hard facts.

It is clear that the Arab states, and particularly Egypt, feel themselves ready for a "fourth round." Indeed, in April of this year, President Nasser declared in a widely publicized speech at the University of Cairo, that the Soviets had "made up for the arms we lost . . . free of charge."

Obviously, the Soviets are taking every advantage of Arab belligerency, and doing all that they reasonably can to keep it alive. At no other time in history has a defeated power refused to talk with the victor in a war, or even to recognize an antagonist's sovereign existence. The Arabs can afford this intransigent position only because their backers in Moscow have made it possible.

## CLASH OF INTERESTS

Meanwhile, the commitments of the United States to preserve the integrity of states in the area continue—and both strategic and economic factors, including oil reserves, make

it impossible for the Western world to permit the entire Middle East to become another "sphere of influence" for the Soviets. To do so would have unbearable consequences for this country, and would so upset the fragile balance of power between the NATO powers and the Communist world as to immediately imperil the peace of the globe.

In fact, that balance in the Middle East is already imperiled, by Soviet extensions of interest in Iran and in Southern Arabia, where the British are withdrawing. The establishment of the latest Arab state, the Peoples Republic of South Yemen, is just one additional indication of this penetration.

For years, Washington has been trying to reach an understanding with Russia on limiting the rearmament of all Middle Eastern states, but Moscow has refused to negotiate on this subject—and only very recently do we begin to hear "inspired" stories of a readiness to do so. But in the meanwhile the balance has already been largely upset, so that "negotiations" now would have only the effect of making permanent a Soviet-Arab preponderance, with its built-in assurance of future trouble.

## GUERRILLA WARFARE

Against this background we must look at the almost unbelievable increase in the number of border incidents, precipitated by El Fatah, the PLO and the Popular Front for the Liberation of Palestine. All of these agencies have shown an increase in financial backing, and all have ready access to official Arab radio and press facilities. The three groups have worked out an "agreement" with King Hussein's government in Amman, which makes the King a prisoner of the terrorists, so far as Israel border events are concerned. Indeed, the Jordanian Ambassador to the United Nations has expressly disclaimed any responsibility for policing the Jordanian side of the border, for the purpose of preventing commando raids.

As a result, these raids have grown into more than daily incidents—and Israel is faced with the necessity of self-defense by mounting counter attacks, as any responsible government would have to do under the same circumstances.

Thus we get a series of escalating events which can only lead, at some future date, to full-scale warfare, unless peace negotiations can be gotten under way promptly. The call for "direct negotiations" between the late belligerents becomes not merely a pious wish, but an urgent necessity, if the fragile peace is to be maintained.

The United Nations has all too often neglected Israeli complaints of illegal guerrilla actions. Peace requires a fair-handed treatment of complaints, even though a USSR veto is apt to prevent any action against Arab commando activities. A statement by 16 U.S. senators, issued just as we go to press, strongly underlines this point by referring to the "double standard" prevailing at the U.N.

To make the mixture still more inflammable, the tendency toward totalitarianism in Middle East governments continues to grow. As an added instance, the Iraqi government resulting from the July, 1968, coup has nationalized private schools, and expelled 25 New England Jesuits who had for years conducted Al-Hikma University at Baghdad. Commenting on the expulsion of the Jesuit teachers, *The Boston Pilot* (organ of the Archdiocese) noted that Al-Hikma is the only institution in Iraq which has admitted Jewish students.

In Jordan, with 21,000 Iraqi troops stationed there and with the guerrillas constantly claiming more and more power, the already weakened position of the sometimes-Western-oriented King Hussein becomes increasingly difficult. In short, the possibilities of democratic development in



the area are being more and more curtailed, as the present turmoil is permitted to continue without a peace settlement.

Meanwhile, too, the need for border readjustments to ensure the security of each separate country becomes more obvious—especially as to Israel—and at the same time the difficulty of readjustments increases, as delay leads to escalated tensions.

To all this must be added another major factor—the refugee problem.

#### REFUGEE POLITICS DELAY PEACE

The continued presence of large numbers of displaced Palestinians, mostly isolated in settlements or "camps," and not resettled on the land, provides a source of trouble that must be eliminated if any permanent peace is to be established.

President Johnson's Five Points for Peace in the Middle East included the call for "a just policy for the refugees"—and language of about the same kind is found in any set of proposals for dealing with this area.

For nearly 20 years UNRWA (the United Nations Relief and Works Agency for Palestine Refugees) has provided assistance to a group of people whose numbers have gradually grown to nearly a million and a half—now including children and grandchildren. This is the only major group of displaced persons anywhere in the world who have not been resettled in some way, following so long a period of years.

The time has come when a good, hard look at the entire Mid-Eastern refugee question is required.

First, we must start with the understanding that there are really two refugee problems in the Middle East: (1) the Jews who were forced to move out of Arab countries (Iraq, Syria, Yemen, Egypt, etc.); and (2) the Arabs who left Palestine at the time of the establishment of Israel—now increased by the addition of a smaller group who fled from the West Bank during the June, 1967, hostilities.

The numbers of these two categories of refugees—the Jews and the Arabs—were in the beginning very nearly identical. The Jews, however, were promptly settled, cared for, and provided with land or jobs, in Israel. They have not to this day received any compensation or restitution from any Arab government, for the enormous amounts of illegally seized property, land and bank accounts which they were compelled to leave behind.

The Arabs have not been so fortunate in the reception they received in the several Arab countries—in spite of the great tracts of unused arable land available along the Fertile Crescent. True, many of the urban Palestinians, and those of the new generations who have received technical training at the hands of UNRWA, have found employment in places like Lebanon, Jordan and Kuwait. As UNRWA reports indicate, however, the hard problem of the agricultural workers still remains—and it is this very problem that the Arab states have taken no steps to solve (not even by facilitating the efforts of UNRWA, in most cases, to set up agricultural cooperatives). Arab lands remain empty, and displaced persons remain as quarrelsome wards of UNRWA's international charity.

Any attempts at resettlement—as distinct from repatriation—have met with insuperable obstacles from political sources contending that such resettlement would admit the sovereign existence of Israel and thus reduce the impact of the intransigent Arab position, which is that "Israel doesn't exist." An official Egyptian publication once went so far as to "accuse" the United Nations of "plotting" to solve the refugee question—thus changing the status quo vis-a-vis Israel.

The refugee problem is therefore inextricably involved with the whole question of a peace settlement based upon mutual recog-

nition of statehood by the Arab governments and Israel.

#### UNRWA'S STRANGE ROLE

Meanwhile, UNRWA has left the education of the Arab children in refugee camps to local school authorities, with the result that these young people have been constantly indoctrinated from an anti-Israel point of view. A first-grade reader in Syria, for example, contains the sentences:

"The Jews are enemies of Arabs. Soon we will rescue Palestine from their hands."

A book for older children indoctrinates its readers:

"Israel exists in the heart of the Arab homeland. Its extermination is vital for the preservation of Arabism."

When refugee education in the Gaza Strip came under Israeli surveillance following the Six Day War, 70 out of 79 textbooks in use there were found to contain similar material, and the Israeli authorities rightly terminated the use of such publications. As a result, UNRWA in many areas now depends upon temporary "teaching notes" produced to serve as a transitory substitute for textbooks hitherto provided by local Arab authorities—and UNESCO, as the agency officially responsible for now authorizing all of UNRWA's education materials, is engaged in a complete reexamination of textbooks in UNRWA/UNESCO schools, with a view to their complete revision. This step is being vigorously fought by the local Arab authorities.

An even more serious problem has been the use of refugee camp facilities as staging areas for guerrilla bands intent upon upsetting the tentative peace effected by U.N. cease-fire arrangements.

Palestine Liberation Organization units, El Fatah groups and other guerrilla formations are recruited in large numbers from people inscribed upon UNRWA lists, and trained in or near the camps—which means that international relief funds are being used to create and support insurrectionists intent upon blocking the operation of United Nations peacekeeping resolutions, and destroying the possibilities of peace along cease-fire lines.

In his 1966-67 Report, the Commissioner General of UNRWA took cognizance of this complaint and noted that the Arab states concerned had agreed to make up through special contributions to UNRWA for rations diverted to the guerrillas. The fact that UNRWA submitted to such an unsavory deal casts shame upon UNRWA's leadership: It is obviously nonsense to allow any overlapping at all between a United Nations agency such as UNRWA, and schemes to destroy the peace through guerrilla action. In the end, however, nothing appears to have come even from the promise of "special contributions"—and so far as detailed published accounts show, no such funds were ever received.

Meanwhile, UNRWA facilities in such places as Ramaleh became so conspicuously centers of terrorist training activities as to lead to Israeli reprisals.

In Jordan, moreover, the operation of these commando units, helped both by Iraqi arms and UNRWA rations, has become a serious danger to the stability of King Hussein's government, as well as to the peace at the Jordan-Israel borders.

It is obvious that these two abuses—the use of UNRWA staff and teaching materials to preserve and inculcate group hatreds, and the use of UNRWA facilities to assist in organizing illegal terrorist groups—cannot be countenanced by the peace loving nations whose contributions make UNRWA possible. Such misuse of UNRWA funds perpetuates trouble in the Middle East, and does not assist any legitimate humanitarian purpose.

#### ELEMENTS OF A GOOD POLICY

What solutions can we propose? We believe that:

(1) Negotiated settlements between Israel and the Arab states must be entered into promptly. If these negotiations are not undertaken now, their postponement can lead only to a new war. They must, moreover, be direct talks. Third party endeavors that leave the existence of Israel an unsettled matter on Arab maps cannot mean anything, and can only undermine the prestige of the United Nations in the region, as well as the peace of the world.

(2) The Soviets must understand that America and the NATO powers will insist firmly upon an "open" Middle East. They must realize that an attempt to make this part of the world into an extension of the Warsaw Pact area will lead to prompt and resolute counteraction.

(3) The refugee matter must be settled once and for all, perhaps along the line of Foreign Minister Eban's proposal that a "five year plan" be negotiated for the resettlement of these people. This could be done at once, and separate from other aspects of the problem.

(4) Finally, the United States should again assure the peoples of the Middle East that we stand ready to help finance a regional development plan, which would make the enormous potential wealth of the region available to all of its people, eliminating the age-old injustices on which dictatorial regimes have based themselves.

Throughout all of these proposals, there is implicit the thought that it is to the advantage of freedom in the world to support free institutions everywhere. This means support for Israel, support for Iran and Turkey, and every effort to build democracy in Lebanon and Jordan, as well as in any other place where foundations for freedom can be found. Only in free institutions can we find the beginnings of peace—and we must not wait longer in seeking that purpose.

#### WHO OBSTRUCTS PEACE?

In conformity with the various points and aspects of the Security Council resolution of November 22, 1967, the Israeli Government informed Dr. Jarring that it was ready to continue indirect talks through him with the Arab Governments; but that it is imperative that Egypt should reply to seven questions previously submitted to its government by Dr. Jarring:

1. Does Egypt accept the need for agreement with Israel on the substance of the Security Council resolution?

2. Is Egypt ready to replace the cease-fire line with secure and recognized boundaries?

3. Is it prepared to agree to a "just and lasting peace"?

4. Will it allow Israeli ships to use the Suez Canal?

5. Does it agree to Mr. Eban's proposal as outlined in his October 9 speech to the Assembly to start talks on a refugee settlement?

6. Is Egypt prepared to accept new arrangements which will prevent a recurrence of the dangerous situation created in May, 1967, when Nasser demanded and achieved withdrawal of the U.N. Emergency Force?

7. Is Egypt ready to acknowledge Israel's sovereignty and express the end of belligerency in a signed agreement?

According to press reports the reply to Dr. Jarring by the Egyptian Foreign Minister Mahmoud Riad was completely negative and could only be considered as a total rejection of peace. The implication of this reply was: (1) that Egypt was not prepared to sign a peace treaty with Israel, (2) nor to discuss secure and recognized borders, (3) not ready to accept Israel's right to navigation through the Suez Canal and the Straits of Tiran, (4) and was not prepared to discuss any practical solution of the refugee problem.

No wonder the talks are deadlocked.

## THESE ARE THE SOCIETY'S CONVICTIONS

1. The United States is deeply and unavoidably concerned in the future of the Middle East, and has a major responsibility for what happens next in that area.

2. We must make up our minds whether we want to act in ways that will promote peace, or in ways that will make war more probable.

3. We must decide now whether we intend to increase Arab intransigence and belligerence by withholding from Israel the weapons she needs, knowing that such weapons would act as the only effective deterrent to the widely-proclaimed Arab purpose of waging a war of revenge. (We certainly do not want to follow the example of General DeGaulle in this regard.)

4. The Soviets did not ask permission of anyone before acting to create a war climate in the Middle East. Why should America, because she fears possible criticism, hold back from actions to promote a climate conducive to peace and security?

5. In Russian propaganda and diplomacy, the United States is painted as the world-wide aggressor, and they proclaim this line on every possible occasion. No American action or attitude will change Moscow's propaganda line, so faithfully supported by the present Egyptian government.

6. The inclusion of the Middle East on the Soviet's proposed agenda of disarmament is not a step toward establishing peace. They have already carried out their rearmament of the Arabs, and talk of arms limitation based on a one-sided status quo is therefore an indication of bellicose intentions, not of pacific purposes. *Nothing can or will change Soviet plans*, except the knowledge that Israel can withstand any probable assault by Russia's protégés.

7. The bait of peaceful co-existence and negotiations toward controlled disarmament should not lure us away from reality: the Arabs will postpone their war plans—and think of negotiations—only if they are convinced that Israel is strong enough to beat them again.

8. The more we act to keep Israel strong, the better are the chances for an era of peace to come in the Middle East. Or do we wish to continue chasing the illusion of friendship with Nasser?

9. The Arab states will come to the peace table only when they become finally convinced that the United States will re-arm Israel at the same level to which the Soviets have rearmed them.

10. Only by matching the Russian build-up weapon for weapon will the Soviets understand America's determination to deter or prevent a new war—which would bring with it the risk of engulfing the whole world. Supplying needed new arms to Israel is not a provocation for war, but the only effective guarantee of peace. *There is no time to lose.*

Such a course will best serve the interests of the United States and of peace.

## A STRANGE SET OF PRIORITIES

Mr. NELSON. Mr. President, along with many other Senators, I am deeply concerned about the strange set of priorities which seem to govern many of our crucial decisions at the national level.

I certainly hope that in the age of rapidly developing technology we do not become so hypnotized by the hardware of war and outer space that we forget the fundamental human needs of the people who make up the real strength of America.

It is a tragic irony that we are proceeding to deploy an anti-ballistic-missile system—a system which will never be used unless the world is plunged into

nuclear war and which most scientists tell us will probably not work even then—while at the same time we are cutting back on some of the limited programs we offered recently in an effort to reclaim some of the lost members of our society.

The anti-ballistic-missile system may cost about \$10 billion in its present form, or \$50 to \$100 billion if it is expanded into a full-fledged system such as its advocates really want. Think of those figures—10,000 millions on the one hand, or 50,000 millions or 100,000 millions on the other.

Meanwhile, telegrams were sent last week ordering the closing of 57 Job Corps centers all across America, in the hope of saving an amount of money which the Labor Department estimates at \$100 million.

In order to save this estimated \$100 million, some 17,500 youths who would otherwise receive valuable vocational training along with basic education, medical and dental care, will be sent back to the slums and the depressed rural areas from which they came as volunteers to be converted into productive, taxpaying citizens.

At his press conference announcing the closing of these 57 Job Corps camps, the Secretary of Labor conceded that "one could not say that \$100 million was a make or break item." It certainly is not, at least for the Federal Government, which finds it very difficult to estimate the cost of a new airplane within that range of dollars.

But the kind of long-overdue education and job training which a deprived youth would have received in a Job Corps camp may well be a "make or break item" in his life.

Has America lost its sense of perspective? What are we really trying to achieve?

Is the development of supersonic airplanes, the landing of a man on the moon, the deployment of an anti-ballistic-missile system an end in itself?

What would any of these achievements mean if it was realized at the expense of the deterioration of our society at home?

I can assure you that many, many Americans share this concern over the strange set of priorities which seems to guide our national policy.

In the last few days, a great number of telegrams have been pouring into congressional offices and the White House, protesting the closing of the Job Corps camps.

There are many aspects of the Labor Department's action which concern people, both in Congress and in the Nation as a whole.

First of all, there is real concern that the Job Corps program as a whole is being gravely weakened, at a time when every available fact seems to indicate that it should be strengthened instead. The reasons which led to the creation of the Job Corps have not changed. We still have thousands of young men and women who have not been properly educated and trained to take their place in modern society. Many of these young people never will make it unless we take them out of their environment, give them concentrated and comprehensive

remedial services, and then see to it that when they go back into society, they find a place in the labor market, in school or in the armed services. So many thousands of people are saying this is no time to cut back on the Job Corps.

Second, there is understandable concern at the manner in which these cuts were carried out. They were planned by the Department of Labor, which has no legal authority over the Job Corps program as of this date. Congress was not consulted; a program which the Congress established has been greatly altered and a new program is being set up in its place—without any legislative action.

Third, those of us who are deeply concerned about the conservation crisis in America are shocked at the almost total abandonment of the conservation camp concept. When he was asked about this at his press conference, the Secretary of Labor said:

Ours is a manpower objective, not a conservation objective.

But Congress specifically gave the Job Corps a "conservation objective." Can this directive simply be ignored? The law requires that 40 percent of the Job Corps enrollees be assigned to conservation camps. The Secretary of Labor says that no more than 32 percent will be so assigned under the changes which already have been ordered into effect. Can the Labor Department simply ignore this law—while insisting on strict obedience of the law from the citizenry?

Fourth, there is concern about the manner in which camps were selected to be shut down. On an issue of such great concern as closing 57 Job Corps camps, one would certainly think there would be a full disclosure of the standards to be applied, and an opportunity for consultation and discussion before the camps were ordered to close.

In order to discuss this great nationwide concern over the closing of the Job Corps camps, the Senate Subcommittee on Employment, Manpower, and Poverty will hold a special public hearing this Friday, April 18, starting at noon. We will have as our first witness Mr. Louis Harris of Louis Harris Associates, New York City, a widely known firm of public opinion. Mr. Harris recently completed the largest survey ever made of Job Corps graduates, their families and their employers, to learn the impact of Job Corps training on these young people.

In addition, we have invited the director of the Job Corps, Mr. William Kelly, to testify. We will hear from some of the conservation organizations, which are deeply concerned at what appears to be the scuttling of the conservation camp program, and from the National Congress of American Indians, which is deeply concerned at the wholesale closing of Job Corps camps which have served Indian youth.

Mr. President, I ask unanimous consent to have printed in the Record a number of documents relating to the closing of the Job Corps camps.

There being no objection, the items were ordered to be printed in the Record, as follows:



UNITED BROTHERHOOD OF CARPENTERS, AND JOINERS OF AMERICA,

April 11, 1969.

HON. GAYLORD NELSON,  
U.S. Senate,  
Washington, D.C.

MY DEAR SENATOR NELSON: We have been advised that a severe curtailment of the Job Corps Program is being considered.

Since May of 1968, we have had the opportunity of working very closely with the Job Corps Conservation Centers Program through the Department of Agriculture Forest Service and more recently with the Department of Interior in the operation of seven (7) Carpentry Programs, wherein we are providing related and manipulative experience to sixty (60) of the underprepared and underprivileged youth in each of the seven (7) centers.

Although none of our programs have run the full cycle, we have already placed fifty-two (52) young men that we were able to qualify into our apprenticeship programs throughout the country and we expect to place all of the young men now in our programs in the industry upon the completion of their program, some of which will be completed in June, 1969 and others in July, 1969.

Therefore, we request that serious consideration be given to the continuance of the Job Corps Conservation Centers in that we feel an excellent job is being done in the training and placement of young men in gainful employment who will take their place in their community as active citizens and workers in the industry who, otherwise, will be returned to their home community as unskilled workers and thus become a burden, as well as a problem for society.

If curtailment is essential of some of the Conservation Centers, it should be done on a selected basis after full investigation of the quality of training and job placement that has been accomplished at each center.

Sincerely yours,

M. A. HUTCHENSON,  
General President.

WOMEN IN COMMUNITY SERVICE, INC.,  
April 10, 1969.

The President,  
The White House,  
Washington, D.C.

MR. PRESIDENT: We, the 20,000 volunteers of Women in Community Service, who have given millions of hours of dedicated service for the purpose of helping young women find a useful place in society are deeply concerned about the news reports on the future of the Job Corps program.

We hope you will consider carefully this very valuable program of human rehabilitation which has helped thousands of young people to become useful citizens, and that your final decision will not in any way impair the initial concept of the program.

Job training and vocational educational opportunities were available long before there was a Job Corps, but apparently the young people who joined the Job Corps found that these programs did not meet their needs.

We have committed a great deal of our time and resources to this program because of our deep conviction that the Job Corps provides the best possible opportunity for the personal and vocational rehabilitation of young women whose home environment does not encourage effective participation in society. We, therefore, feel strongly that the Job Corps program must continue as originally conceived.

We hope you will give this matter your very serious consideration and support the concept of the program so that the Job Corps can continue to give hope to young women from the depressed groups in our country.

Respectfully,

DOROTHY I. HEIGHT,  
President.

CHURCH WOMEN UNITED,

April 10, 1969.

The President,  
The White House,  
Washington, D.C.

MR. PRESIDENT: We are greatly concerned about the news stories of serious cut backs on the Job Corps program.

Our several years' experience in recruiting girls for Jobs Corps has convinced us of the value of a residential training program.

We have seen girls' lives dramatically changed because they were able to have the living as well as training experience that Job Corps has brought them.

We hope you will give careful consideration to a continuation of a residential program for youth from poverty areas.

Respectfully,

DOROTHY DOLBEY  
Mrs. James M. Dolbey,  
President.

NATIONAL COUNCIL  
OF CATHOLIC WOMEN,  
April 10, 1969.

The President,  
The White House,  
Washington, D.C.

MR. PRESIDENT: The 12,000 member organizations of Council of Catholic Women which has a commitment through WICS to provide volunteer women power to recruit and screen young women in poverty for the human renewal provided by Job Corps, is shocked by today's press reports of curtailment and dilution of that program. Mr. President we hope and pray that you will do everything in your power to preserve the concept and coverage of the Job Corps program.

Respectfully,

MARIE FOLDA  
Mrs. Norman Folda,  
President.

NATIONAL COUNCIL  
OF JEWISH WOMEN,  
April 10, 1969.

The President,  
The White House,  
Washington, D.C.

MR. PRESIDENT: In my recent communication to you we emphasized that the National Council of Jewish Women was convinced of the validity of the Job Corps program particularly its inherent concept of human rehabilitation. We are disturbed by press reports which imply that you are considering a drastic change in the program. Its delegation to the Labor Department is also interpreted by some as an emphasis merely on job training.

We urge you to support the original concept of the Job Corps and to authorize a greatly expanded program so that many young people in the depressed groups of our society will continue to believe that their government is determined to offer them the opportunity to become useful and productive members of society.

Respectfully,

JOSEPHINE WEINER  
Mrs. Leonard H. Weiner,  
President.

NATIONAL COUNCIL OF NEGRO WOMEN,  
April 10, 1969.

The President,  
The White House,  
Washington, D.C.

MR. PRESIDENT: The National Council of Negro Women is greatly alarmed over the news reports of massive shutdown of Job Corps centers.

We are equally concerned and disturbed over the unrest of our youth in this country and the possible curtailment of this program to which many of our deprived and disadvantaged young women have responded for the first time in their lives. Small non-

residential centers cannot hope to lift these youth from their crippling environment in the ghettos and provide for them real opportunity and hope for a productive adult life.

Thousands of chapter and affiliate members located in every section of the United States have given many hours of volunteer service because we believe our Government is sincere in its efforts to help our desperate young people find their rightful place in society.

We urge continuance of the women's centers of the Job Corps.

DOROTHY I. HEIGHT,  
National President.

AMERICAN GI FORUM OF  
THE UNITED STATES,  
April 10, 1969.

The President,  
The White House,  
Washington, D.C.

MR. PRESIDENT: We are deeply concerned of the future of the Job Corps. The program has helped poverty stricken Mexican-American girls derive an education, that otherwise because of their misfortune they could not have acquired. In their behalf, Mr. President, we pray to God that you will give your fullest consideration in keeping the Job Corps program as it is.

Respectfully,

Mrs. DOMINGA G. CORONADO,  
National Auxiliary Chairman.

[From the Washington (D.C.) Post,  
Apr. 11, 1969]

AXING THE JOB CORPS

Seven weeks ago when President Nixon announced his intention to reorganize the Federal war on poverty, he suggested that "we often can learn more from a program that fails to achieve its purpose than from one that succeeds." That sounded fine. However, the Administration's action in deciding to close down 57 Job Corps centers in one swoop suggests that not enough effort was invested in finding out what had succeeded and what had failed.

It appears that centers were selected for closing largely on the basis of statistical data on performance and cost. The centers themselves were not inspected, nor were the center directors and Job Corps officials consulted. It was a policy decision at a high level, clearly foreshadowed by Mr. Nixon's condemnation of the Job Corps program during the presidential campaign. Already the Administration has decided to back down on its decision to close the women's center at Cleveland, and complaints have been received about the closing of many of the other centers. The action slashes Job Corps rolls by 17,000 young men and women by July 1. Anyone still enrolled in a closed center at that time will be transferred to one of the remaining centers, we are assured. But this will only partly ease the impact on those youths whose hopes had been raised by the Job Corps program.

It appears that economy was the primary motivating force in deciding which centers should be closed down, but it is questionable how much of the projected savings will be realized when the cost of shutting down the existing centers is considered. Also, there is some doubt about how economically the Labor Department will be able to run the 30 mini-centers that will now be opened in urban areas. One thing the Job Corps has learned is that much of its overhead cost is fixed and that small centers tend to be proportionately more expensive. The decision to shift away from rural conservation centers toward urban centers where the disadvantaged youth are seems logical, but it does not explain why some existing urban centers were closed too.

The furor created by the decision to close the Cleveland center caused the Administration to take a second look. A second look is in order for many of the other centers as well in view of the way they were selected for closing.

[From the New York Times, Apr. 11, 1969]  
REORGANIZING THE JOB CORPS

Of the many programs in the war on poverty, the Job Corps was the least controversial in concept but has proved one of the most controversial in practice. Theoretically, it seemed ideal to move slum youths out of their dead-end environments and give them a fresh start in remote camps. They would be away from bad companions, destructive temptations and the scene of past failures.

Practically, however, the high dropout rate of Job Corps enlistees of both sexes suggests that many of these young persons found a radical change of environment more demoralizing than helpful. There were other sources of difficulty. The Government contracted with private business to do the actual training, but some of the nation's most prestigious industrial firms proved unimpressive in imparting usable skills to slum youngsters. Some critics have also argued that, although the conservation centers are doing useful work in the care of natural resources, these centers are not preparing enlistees for jobs in a highly technical economy.

The Job Corps has had its successes. The record is not entirely bleak. The question is whether the money spent on the existing program could achieve better results if spent otherwise. It is not clear that the Nixon Administration has correctly asked or answered this question. It reportedly proposes to shut down more than half of the conservation centers, six women's centers and two large camps for young men, thereby gradually reducing the Job Corps to half its present enrollment of 735,000 and saving \$100-million.

But the point is to save lives, not dollars. If hundreds of thousands of untrained ill-educated youth drift into the stagnant pool of unemployables, they will cost the nation much more in the long run in crime, drug addiction and higher welfare costs. More small training centers in the cities are envisaged but the over-all effect still is to scale down the job training program. That is not a good enough answer.

While President Nixon and his advisers ponder how to make good on his promise of last year to get the unemployed "off the welfare rolls and on the payrolls," it is imperative that a high level of employment be sustained. No job training program can produce results if a recession occurs and the students cannot see a job waiting for them at the end of the course.

GLOBE, ARIZ.,  
April 12, 1969.

GAYLORD NELSON,  
Chairman, Subcommittee, U.S. Senate,  
Washington D.C.:

Request you review and reconsider action of closing the San Carlos Job Corp Center as we are a one industry community, our economy would suffer considerable. Letter follows.

E. ROSS BITTNER,  
Mayor.

CHICAGO, ILL.,  
April 11, 1969.

Senator GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.:

Having seen the magnificent work done by WICS in the Chicago area working through the Job Corps, I urge you strongly to keep the Job Corp as it is now.

Mrs. MAX BERG.

GLOBE, ARIZ.,  
April 11, 1969.

GAYLORD NELSON,  
U.S. Senate,  
Washington, D.C.:

Opposed to closing Job Corp, San Carlos, Arizona.

RICHARD A. MACIAS,  
ELVIRA A. MACIAS,  
ANGELA GUTIERREZ,

MILWAUKEE, WIS.,  
April 11, 1969.

Senator GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.:

Four years close association with Job Corps program convinces us of its value to our entire Nation and to disadvantaged young men and women. Your determined efforts to maintain the services and potential of Job Corps. I'll support you all the way.

Mr. and Mrs. JOSEPH FLANAGAN.

MILWAUKEE, WIS.,  
April 12, 1969.

Senator GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.:

We urge continued support of Job Corps program. Personal volunteer experience this program convincingly evidences need to rebuild and motivate lives to disadvantaged youth.

Mr. and Mrs. BRUCE WALTERS.

GREATER DALLAS SECTION, NATIONAL  
COUNCIL OF JEWISH WOMEN,  
Dallas, Tex., April 12, 1969.

Senator GAYLORD NELSON,  
Chairman, Senate Committee on Employment and Manpower, Senate Office Building, Washington, D.C.:

We urge that the concept of the Job Corps center as it was originally conceived be retained. Fragmentation with vocational training only and no cultural enrichment will not break the poverty cycle. As members of WICS with a national membership of many hundreds of thousands of women we urgently request that you do everything in your power to keep the Job Corps centers open.

Mrs. SANFORD FAGADAU,  
President.  
Mrs. MORRIS NEWBERGER,  
Vice President.

GLOBE, ARIZ.,  
April 12, 1969.

GAYLORD NELSON,  
U.S. Senate,  
Washington, D.C.:

Opposed to closing Job Corps Center at San Carlos, Arizona. Benefits of this center to underprivileged youth of our country, employment of people from our community by this center and economic increase in the community far outweigh reason for closing center.

Dr. C. A. BEJARANO.

WHITEFISH BAY, WIS.,  
April 11, 1969.

HON. GAYLORD A. NELSON,  
Senate Office Building,  
Washington, D.C.:

I am interested in retaining the concept of the Job Corps as it is presently.

Mrs. CHARLES W. PECKARSKY.

INDIANAPOLIS, IND.,  
April 11, 1969.

GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.:

Urge sustaining Job Corps program. Have personal knowledge of the vitality and need locally.

BERTH LITCHENSTEIN.

## STUDENT TAKEOVER AT HARVARD IS INTOLERABLE

Mr. RANDOLPH. Mr. President, the Students for a Democratic Society has proved again with the Harvard takeover that it is in fact Students for a Destructive Society.

The attempt by a small group of students to destroy the American system of higher education has gone beyond the bounds of tolerance when probably our Nation's most distinguished center of learning can be brought to the brink of closure. It is serious when any university is threatened by those who have nothing but disruption on their minds, but the real danger to our free academic tradition is brought home full force when the target is Harvard.

If any institution in this country has worked hard to foster the liberal academic heritage our academic community holds dear, it is at Cambridge. The unprovoked, disgusting, and totally unwarranted revolt by a small group of anarchists cannot be allowed to threaten this respected citadel of learning.

As the Washington Post commented editorially today:

It may be that a majority of the students at Harvard would like to get what education they can from the faculty without striving to destroy the institution or to make it over in conformity with the blueprints of the New Left.

Mr. President, one of the most responsible voices being heard through the tumult at Harvard is that of Franklin L. Ford, dean of the faculty of arts and sciences at the university.

I ask unanimous consent that excerpts from a statement issued by Dean Ford and published in the New York Times on Saturday be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

[From the New York Times, Apr. 12, 1969]  
EXCERPTS FROM DEAN FORD'S STATEMENT AT HARVARD

(From a statement today by Franklin L. Ford, Dean of the Faculty of Arts and Sciences at Harvard University, to the Harvard faculty, Cambridge, Mass., April 11, 1969)

As everybody knows by now, University Hall was occupied beginning shortly after noon on Wednesday. The degree of premeditation was indicated by the fact that the intruders had chains for securing the doors, crowbars for smashing windows if necessary, and they also had a large supply of apparently miscellaneous keys.

So far as the decision to clear the building is concerned, I should make clear that everyone involved in reaching that conclusion felt sadness and dread at the thought of the use of police within Harvard Yard. However, I remain convinced that, all things considered, there was no real alternative.

Many members of the Harvard community—perhaps a majority at present—do not share that conviction. But I should like to explain the considerations which finally determined the move in the hope that they will at least be carefully considered by everyone arguing about it.

First, let it be kept in mind that a physically repugnant and intellectually indefensible seizure had occurred. It is not possible



to discuss this issue without beginning with that event.

Second, University Hall is not just another building, one which could be left occupied and isolated while instruction and research continued elsewhere.

#### TIME HELD A FACTOR

In University Hall there are confidential, personal files of all members of the Faculty of Arts and Sciences, the complete financial records and current operating accounts of the faculty, the personal folders of all members of the freshman class, and a variety of other materials which are either confidential or necessary for the functioning of the Faculty of Arts and Sciences, or both.

The fact that the door to the room containing the financial records was broken down by the intruders within hours of the occupation is an indication that time was a real factor to consider.

Furthermore, personal correspondence between members of the faculty and past or present deans was lifted from the files in my office and systematic reproduction of such documents has already begun. Excerpts from some of these files have today appeared in the current issue of *Old Mole*, Boston's self-styled "radical weekly."

The arguments against using police to clear the building are self-evident. If we could have isolated the invaders of University Hall, while continuing a decent pattern of existence in the Yard, this would have been an infinitely better outcome than the one we have now to discuss. As I try to explain, however, it is my firm conclusion that such an outcome was not a real alternative open to us.

#### WEEK OF SICKENING EVENTS

If there had been reality in the S.D.S. demands or the possibility of "talking the occupiers out," that too would have had to be carefully explored. But the demands as such were nonnegotiable, in the literal sense of offering no basis for discussion; and the temporary occupants of University Hall had made clear to me and others that they felt "the time for talking is over."

We are now faced with the predictable next chapters of what have become the stale script for "radicalization" of a university. Every effort is being made to focus attention on the appearance of police and to divert attention from the short-term and long-term implications of the building seizure itself. The usual vilification of individuals is under way. Where the real villains cannot be found, we may be sure, that they will be invented.

For myself, I can only say that this has been a week of sickening events and discouraging discoveries about how some minds work.

If the Harvard community, students and faculty alike do not recognize that what is now at stake is the freedom to teach, to inquire and to learn—if that community sees in the present situation only an opportunity to attack the governing boards, the president or some other part of the institution—there will be little point in pretending much longer that this is a real university.

The buildings will remain but the soul will be gone.

Some now insist that "the storm troopers entered University Hall." This is true, but they entered it at noon on Wednesday, not dawn on Thursday.

#### TEXAS ESCAPES SERIOUS AIR POLLUTION PROBLEM

Mr. TOWER. Mr. President, the State of Texas has been very fortunate to have escaped any serious air pollution problem. Because we are blessed with an abundant supply of natural gas to use as a fuel source, we in Texas have not had

to burn solid or liquid fuels which contribute so directly to pollution in the air.

We cannot ignore the danger of impure air, however, simply because we are fortunate enough to be able to breathe freely now. To do so would be to emulate the ostrich who hides his head in the ground in order to avoid the reality of approaching danger.

The people of Texas realize that the pollution in the air over New York City and Los Angeles will be duplicated in Houston and Dallas if they do not act now. I am encouraged to note that Texans are working to preserve the clean skies which are their heritage.

So that we can all be made aware of the present air pollution problems in Texas and the steps being taken to solve them, I ask unanimous consent that an article entitled "The Control of Air Pollution in Texas," written by Mr. Otto Paganini, be printed in the RECORD. The article is an excellent survey of the air pollution situation in Texas, I believe we will all profit from reading it.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### THE CONTROL OF AIR POLLUTION IN TEXAS

(By Otto Paganini, P.E.)\*

What is happening to the Texas environment as a result of man's progress is a crucial matter for every person in the state. An environment is not merely a location in which an organism lives; it is the means by which an organism lives.<sup>1</sup> It conditions the quality of existence. Man, as an organism, must depend upon what is available in his environment for survival. Civilized man, in his desire to make his work easier and each day more pleasant than the last, has developed many means for accomplishing this end. Along with his achievements he has created a great deal of waste and, perhaps, may have destroyed more than he has created. The American Indian early complained of this propensity of white men when he observed the decimation of his people and his food supply, the buffalo, by the early American settlers.

#### THE PROBLEMS

Since the Industrial Revolution in the late 1800's the citizens of this country and others have been creating so much waste (presently an estimated 4.5 pounds per capita per day of solid waste alone) that we have polluted many of our streams, rivers, lakes, and—most important of all—the envelope of air that surrounds us. Although efforts were made to prevent pollution, most air-pollution control was very feeble until the late 1940's, when the County of Los Angeles, California, brought it to the attention of the citizens of this country by creating the first air-pollution control district in that state, and in the country. It had been found that not only industry, but all the activities of the community, emitted pollutants into the community atmosphere.

The citizens of this country, in their desire to go places, and do things in a hurry, have in a sense destroyed some 1.7 million acres of land<sup>2</sup> in the laying out and building of

an Interstate Highway System; to raise more crops for food production they have laid bare many acres of land, a condition which in turn permits erosion of the soil by wind action and contributes to the overall dust loading of the atmosphere; they have polluted the air through the operation of motor vehicles and other forms of transportation, which emit upward of 85 million tons of pollutants into the atmosphere each year;<sup>3</sup> with other community activities they have contributed another 48 million tons.<sup>4</sup> These totals do not include the carbon dioxide, which amounts to million of tons.

Industry is not altogether to blame, because it exists only as the result of the demand for its products or services by the citizenry; in like manner the degree of cleanliness of the air and water depends upon the demands made by the citizens. When they demand a wholesome atmosphere, however, they must pay the cost, because it is included in the price of the commodity they purchase, whether it be a material object or a service. Again this demand for clean air must come from the citizens, because when man relinquishes any portion of his prized gains he must feel he is getting some other tangible item or service to hold in exchange—in this case reasonably clean air.

Three factors are necessary for creation of an air-pollution problem: a source of emission of a pollutant, a transporting medium, and a receptor. The source of the pollutant may be emission of dust from an industrial operation, smoke from the backyard burning of trash, noxious and innocuous dust or gaseous emissions from industrial, oil-field, and municipal operations, gases from motor-vehicle, truck, or other transportation-vehicle exhausts. The transporting medium for the air pollutant is the thin moving envelope of air that surrounds the earth. The receptors are human beings, animal and plant life, and physical objects such as painted, metallic, glass, and plastic surfaces.

Texas is blessed with an abundance of combustible gas fuels which have replaced solid and liquid fuels for heating and power generation. The consumption of fuel gases, in the amount of billions of cubic feet annually, contributes to the overall pollution loading of the atmosphere, but not in equal proportion with other fossil fuels, such as coal and fuel oil. The city of Dallas consumed more than 100 billion cubic feet of natural gas (exclusive of liquid petroleum gas) during 1965.<sup>5</sup>

#### STATUTES FOR CONTROL OF AIR POLLUTION

The laws concerning air pollution are fairly explicit. The federal law—the Air Quality Act of 1967—delegates certain responsibilities and powers to the United States Secretary of Health, Education, and Welfare to prevent and abate air pollution; perform or have done certain research on air pollution and its abatement; delineate air-pollution areas and regions; distribute funds as appropriated by the Congress to develop, establish, improve and maintain air-pollution control programs of an interstate, state, county, or local air-pollution control agency. The Act gives the Secretary jurisdiction in air-pollution matters involving more than one state and in intrastate air-pollution problems when the state governor requests federal assistance. Copies of the Act are available from the National Air Pollution Control Administration, Public Health Service, U.S. Department of Health, Education, and Welfare, 101 North Randolph Street, Arlington, Virginia 22203.

The 59th Texas Legislature, Regular Session, passed the Clean Air Act of Texas, 1965 V.C.S. 4477-4; the 60th Legislature, Regu-

\*Chief Engineer, Air Control Program, Division of Occupational Health and Radiation Control, Environmental Health Services, Texas State Department of Health, Austin, Texas.

<sup>1</sup>A Concept of Environment—A Factor of Life," *Progress Report*, New York State Air Pollution Board, Vol. III, No. 3, 1-2/64 (7/30/65).

<sup>2</sup>Based on the planned 41,000 miles of Interstate Highway System with 300-foot right-of-way and extra land allowed for interchanges and parks.

<sup>3</sup>Edmund K. Faltermayer, "We Can Afford Clean Air," *Fortune Magazine*, November 1965.

<sup>4</sup>Ibid.

<sup>5</sup>An Appraisal of the Air Resources of Dallas and Dallas County, Texas," 11/9-12/15/65, Texas State Department of Health, Austin, Texas, 4/25/66.

lar Session, made additions, deletions, and changes to the Act (V.C.S. 4477-5). The Act provides for a nine-member Air Control Board with powers to prepare and develop a general plan for the proper conservation of the air resources of the state. They may promulgate and adopt rules and regulations to prevent and reduce undesirable levels of air pollutants as permitted under the Act. The Board is further permitted to hold hearings, to subpoena witnesses and the production of papers and documents, and to take testimony in connection with the hearing. It is the sole authority in the state in the setting of air-quality criteria, and in determining levels and emission limits for air pollutants; it can enter orders or determinations as may be necessary to effectuate the purposes of the Act; it may utilize the services of other state agencies in carrying out the purposes of the Act; and it may hire outside persons when necessary to assist in making such orders and determinations.

The Clean Air Act of Texas further allows for an executive secretary who shall act as the administrator for the Board in carrying out its orders and in the conduct of the business of the Board. He shall be an employee of the Texas State Department of Health. The Texas State Department of Health shall provide the basic personnel and necessary laboratory and other facilities as may be required to carry out the provisions of the Act. In addition, the Department acts as an agent of the Board in obtaining the services of other state agencies in connection with air-pollution control. Control over air pollution resulting from the emission of radioactive material, however, still rests with the Texas Radiation Control Agency, and problems pertaining to the control of in-plant air pollution are not covered in the Act.

The Act permits a local government as defined in the Act to enforce the rules and regulations adopted by the Board, to inspect the air and to go in and on public or private property within the city's boundaries and jurisdiction to determine whether the level of air contaminants in any area within those boundaries and that jurisdiction meets levels set by the Board. Furthermore, a local government may enforce through its own attorney the provisions of the penalty section of the Act (Section 12B).

In addition, the Act is careful not to set aside or invalidate the right of any private person to pursue all common-law remedies available to abate a condition of pollution or other nuisance or to recover damages therefor, or both. Nor does the Act diminish such rights and powers as are otherwise vested by law in any incorporated city or town to abate a nuisance or to enforce any ordinance for the control of air pollution, subject only to the provisions of Section 15 of the Act. In substance, if the ordinance is not inconsistent with the provision of this Act or rules or regulations, or orders of the Board, the local government may bring action against a violator to prevent or abate the emission of pollutants into the community atmosphere. However, where the local government institutes a suit under Section 13D of the Act, the Board is authorized to be and must be a necessary party of the local government's suit.

A local government, furthermore, shall transmit the results of its inspections to the Boards as prescribed in its rules.

Where a person (including a company, as defined in the act) is not in compliance with the Board's rules and regulations he may ask for a variance to allow time to make changes in his operations so that he may meet regulation standards. The Board has promulgated and adopted procedural rules and general provisions by which it will conduct and handle its business. Furthermore, it has adopted four regulations which cover particulate matter and smoke, outdoor burning

of waste material and refuse, sulfur compounds, and motor-vehicle exhaust emissions. The Board encourages local air-pollution control programs.

A copy of the Act and the regulations are available from the Executive Secretary, Texas Air Control Board, 1100 West 49th Street, Austin, Texas 78756.

A number of cities and counties in Texas, through their health departments or districts, now have air-pollution control programs. These are Dallas, El Paso City-County, Fort Worth, Galveston County, Houston, Harris County, Laredo-Webb County, Lubbock City-County, and San Antonio-Bexar County. In addition, more than forty-two local health departments are cooperating in the maintenance and operation of two types of air-sampling stations—high-volume and effects-package types—which collect air samples on a weekly, bi-weekly, and monthly basis. These samples are used to ascertain the amount of total suspended-particulate and benzene-soluble organic matters, sulfates, nitrates, ozone, sulfation compounds, and other emitted pollutants—to determine their volume and their effects.

#### ORIGIN OF POLLUTION IN TEXAS

The everyday activities of a community contribute varying amounts of pollutants to the community atmosphere. Their sources, some of which have been previously cited, are industrial operations, commercial installations, motor vehicles operating over public streets and roads, and domestic and municipal activities. They vary from minor particulates and gases, such as street dust and carbon dioxide, to those of major significance, such as soots and carbon monoxide.

More than 10,500 manufacturing establishments of various types are located in Texas. These include processors and producers of petroleum, petrochemicals, natural gas, lime, cement, asphaltic and ready-mix concrete, carbon black, furniture, cotton, cottonseed and cottonseed oil, castings, vegetables and fruits, flour and cereals, other foods, grains, lumber, steel, and other metals fabrications, lead, antimony, aluminum, zinc, tin, manganese, magnesium, graphite, gypsum, lignite, mercury, oil, rock and table salt, organic chemicals, and others.

These endeavors contribute pollutants to the atmosphere, some to a greater degree than others. Although Texas does not have air-pollution problems in the same degree as is found in the solid- and liquid-fuel-burning areas of the country, some of the major population centers in the state are beginning to develop what is commonly referred to as photochemical smog or smaze.

The Houston-Harris County area is showing signs of such. A good example of this occurred on June 13, 1968, and appears quite often to a lesser degree. The City of El Paso experiences low-level temperature inversions from October through March, and pollutant build-up under the inversion layer is quite evident during this period. Fortunately, however, because of meteorological conditions in the El Paso area, these inversions normally break up and dissipate before noon and prevent build-up of the pollutants to the point where they might threaten the well-being of the area. In addition, operations at one major plant, which releases a large quantity of sulfur dioxide in this area, are terminated when meteorological conditions are unfavorable for adequate dispersion of this particular pollutant. The Fort Worth-Tarrant County and Dallas City-County areas are experiencing some pollution. All of these cited areas, however, are trying to prevent further emissions of pollutants, and to abate those that exist, through the activation of air-pollution control programs in their health departments. These local programs are also cooperating very closely with the Texas Air Control Board and the Board's right arm, the Air Control Program of the Division of Occu-

pational Health and Radiation Control, Environmental Health Services, Texas State Department of Health.

#### MAJOR SOURCES OF POLLUTANTS

##### Cotton gins

In recent years one of the major contributors of pollutants to the community atmosphere has been operations at cotton gins. This situation has resulted from the changes made in the method of harvesting seed cotton. No longer is just the lint with its seed brought into the gin for separation by straight ginning. Now, because most of the seed cotton that is harvested is either machine-picked (by spindle pickers) or strip-picked from the stalk, the gins, in order to produce a 500-pound bale of marketable staple cotton free of trash, must remove anywhere from 50 to more than 2,000 pounds of trash and dirt from the seed cotton before and after separation of the seed from the lint. This necessity results in the emission of dust, lint fly, and parts of the stalk, leaves, and bolls, some of which may contain residues of economic pesticides. Most gins are located in rural communities and towns. Some, however, are situated in larger urban centers of population and create not only a nuisance, but a health hazard, when their emissions reach the community atmosphere. A letter to the Air Control Board, Texas State Department of Health, dated April 20, 1966, and signed by David F. Pugh, M.D., Diplomate, American Board of Pediatrics, Associate Fellow, American Academy of American College of Biology, attests this fact:

"To Whom It May Concern: This is to confirm in writing the conversation, which I had on April 18, 1966, with Mr. Wimberly of your Department concerning the extremely harmful effects produced particularly against Children with asthma by cotton gins in our area. I see patients from all over West Texas, as far north as Crosbytown and as far west as Clovis, New Mexico, and Odessa, and as far south as Pecos and Fort Stockton. It would be easy to go through the files and find literally dozens of cases that are easily controlled with minimum amounts of medication and regular hypersensitization injections for pollen dust, molds, and spores, etc., until the cotton gins begin operating in the fall. It is impossible to put into an injection everything to protect them against the extremely irritating effects of lint, dust, and smoke from cotton gins. Anything which can be done to minimize the air pollution from this source will be of real service to the asthmatic patients in this area. I would be happy to cooperate in any way in furthering this objective."

The 60th Legislature, when it revised the Clean Air Act of Texas 1965, included Section 6C, which states:

"The board shall establish its rules and regulations concerning the emission of particulate matter from plants processing agricultural products in their natural state according to a formula derived from the process weight of materials entering the process. The board may not require in its rules and regulations that such plants meet a standard which requires an emission of less than eight percent of the process weight of the materials entering the process."

Examples of industries that process agricultural products in their natural state are cotton gins, rice dryers, and grain elevators, where these grains are dried and stored. Most plants processing agricultural products in their natural state can stay within this requirement without providing any type of traps to remove the dust, lint, and chaff from the conveying air stream. Studies made around these plants have shown that emissions as permitted in Section 6C of the Act in plants of this type exceed particulate-matter limits set by the Board in Regulation I, governing emissions for other types of industry. It should be pointed out, however,



that many cotton gins, some rice dryers, and many grain elevators have installed primary-type dust and/or lint-trapping devices to reduce such emissions.

#### Smelters

Smelters in the state include those that produce aluminum, copper, ferromanganese, ferrosilicon, lead, tin, and zinc. With the exception of several secondary aluminum and lead smelters, most Texas smelters are primary producers of these metals. Emissions which result from these smelter operations are chlorine, ferromanganese, ferrosilicon, fluorides, sulfur compounds, and some metals. In the reduction of alumina to aluminum, a process in which fluoride compounds are used as a fluxing agent, the reduction plants have incorporated recovery systems in the smelting process to prevent undue emissions of this material. As previously noted, one copper-lead smelter utilizes bag filters for recovering lead fumes to prevent their loss to the community atmosphere; the sulfur compounds, however, are emitted to the atmosphere under control by the use of tall stacks for dispersion of the sulfur oxides into the atmosphere at heights that are less liable to creation of a nuisance or a health hazard. When meteorological conditions are not favorable for good dispersion of the sulfur compounds the operations are reduced until weather conditions are favorable for such dispersion at the heights provided. In the zinc smelters tall stacks are utilized to disperse the sulfur oxides formed by the sintering and smelting of the zinc ore concentrate.

The tin smelter utilizes a roasting process to remove arsenic metal from the tin concentrate. Settling chambers and electrostatic precipitators are employed to entrap the arsenic that sublimes from the ore concentrates when roasted. A tall stack is used to disperse, at a rate that is believed to be below harmful levels, any metal that may get through the collectors. Tin fumes lost from the reverberatory furnaces are passed through settling chambers and electrostatic precipitators and recovered to prevent both an economic loss and pollution of the community atmosphere.

The ferromanganese and silicon operations presently utilize scrubbers to reduce emissions, but are planning improvements in these devices for further reduction of escaped pollutants. The magnesium producers are using scrubber units to prevent loss of chlorine that results from the reduction of magnesium chloride to magnesium metal and chlorine. The chlorine is converted to an acid by the scrubbing process. Lime is used in the separation of magnesium chloride from other impurities. The manufacture of lime, a separate process, can result in some loss of lime to the atmosphere if the process is not properly controlled. Most of this lime loss in this plant, however, is prevented by recently installed electrostatic precipitators.

Secondary-lead smelters, for the most part, are those associated with the recovery of lead from lead storage batteries and scrap lead. These operations are situated in three of our major centers of population, Dallas, Fort Worth, and Houston. Emissions of lead and acid gases, such as oxides of sulfur, do occur. Recovery systems are provided to a limited degree, but they are directed primarily toward the recovery of lead metal and not the prevention of the escape of these pollutants.

#### Foundries

Foundry operations in the state contribute to the overall pollution loading in the community. Several large foundries of the production and captive type are situated in the larger metropolitan areas, while some, along with job-type foundries, are located in smaller communities. At present, with the exception of one or two, no provisions are made for the control of emissions from the cupola, a major source of pollutants from

foundry operations. Other sources of pollutants in foundries are core making and baking, molding, shakeout and cleaning of casting, and molding-sand conditioning, or preparation. For the most part, the major foundries, and a number of the smaller ones, utilize bag filters to prevent emission of dust generated by these other pollutant-source operations. Some foundries are converting to electric furnaces to produce metal for castings. These electric furnaces, if not controlled, generate and emit considerable amounts of iron oxides in the melting process. Several foundries, however, have installed local exhaust-collection systems to serve these furnaces by directing these oxides into bag filters, thus preventing the emission of these pollutants into the community atmosphere. However, acrid smokes from core-baking and pouring operations still go uncontrolled.

#### Steel plants

Operating in the state are two major steel-production plants, with a third under construction, and several small producers. At present one of the major plants uses open-hearth furnaces with oxygen lancing; the other utilizes this same process plus electric furnaces of the carbon-electrode type. Both plants charge hot metal and cold scrap to these furnaces. The coke production, a by-product operation, is used at both plants. Both plants are in the process of providing facilities to prevent emissions of iron-oxide fumes, the chief pollutant discharged in this operation. In the process which produces the by-product coke, hydrocarbon-recovery units are used, but because of the coke-oven doors and other leakage points, the coke-quenching operations still emit some undesirable quantities of smoke and acrid gases.

The smaller steel plants utilize electric furnaces to produce the steel and use pig and scrap iron as the raw charge. The considerable iron oxide generated by these furnaces is exhausted into the community atmosphere. Only two of these plants presently prevent these emissions.

#### Petroleum refining

Petroleum refining, an important industry in the state, in years past was a major source of hydrocarbons, smoke, and the sulfur-compound type of air contaminants—sulfides and oxides of sulfur. More recently, however, much has been done by this industry to abate emissions by closer surveillance of manufacturing units, development of new products out of what was once considered unusable hydrocarbons, conversion of spent sulfuric acids to virgin acid, and others. In addition, these producers recognized the necessity for improving their product by removing the sulfur and sulfide gases. Whereas these gases were previously burned, with resulting sulfur dioxide, the sulfur is now recovered in the form of elemental sulfur or converted directly to sulfuric acid. Today many of the undesirable by-products of the industry are now caught, sold to the petrochemical plants, and converted to useful products. Smokeless flares have replaced the smoking type. New storage tanks have floating roofs to prevent loss of volatile hydrocarbons, while older models, with fixed roofs, are being remodeled to include floating roofs. In addition, those hydrocarbons which are gases at ambient temperatures and are easily liquefied are stored in tanks under pressure or are recovered by systems that reliquify these hydrocarbons to prevent their loss. Where waste hydrocarbons must be disposed of by open burning or dumped through uncontrolled flares they will generate considerable smoke. Many of these waste hydrocarbons are being controlled by burning in incinerators and flares of the smokeless type; practically all will be so handled before another year is out. These smokeless units, when properly designed and operated, completely burn the hydrocarbons to an invisible

carbon-dioxide gas. The industry, becoming more aware of the importance of the conservation of energy and the prevention of waste, is taking a continuously deeper interest in the prevention of the emission of pollutants into the community atmosphere.

#### Petrochemicals

The petrochemical industry, an outgrowth of the union of the chemical and the petroleum-refining industries, is converting many waste gasses and liquids, formerly burned or dumped by the refineries as unusable material, into useful organic and inorganic chemicals. This industry in Texas is centered along the Gulf Coast, as are the refineries, where it may contribute pollutants to the community atmosphere. The industry is putting forth great effort, however, to abate emissions that may be attributed to the industry.

#### Electric powerplants

The generation of electricity in this state employs both thermal and hydroelectric power-generation units. The thermal plants contribute little in the way of pollutants to the community atmosphere, the only exceptions being a currently operating plant and a proposed unit, both adapted to the use of solid fuel, lignite, and a few plants that may be forced to fuel oil in an emergency. However, should the price of natural gas, the fuel used by most of these generating plants, increase to the point that operation with liquid and solid fuels would be more profitable, then those power plants using gas may convert to liquid, solid, or nuclear fuel, with their respective potentials for emission of pollutants.

#### Municipal activities

The everyday operations of all our municipalities contribute pollutants to their respective community atmospheres in many ways. The burning of refuse at public disposal sites, in citizens' backyards, or in commercial incinerators emits numerous pollutants. In addition, the operation of our motor-vehicular transportation units and the maintenance of poor general sanitation cause the emission of unburned hydrocarbons, noxious and innocuous gases, and dust into our community atmosphere. These pollutants result from poorly maintained and adjusted internal-combustion engines used in our motor vehicles, from litter in the form of dirt, carbon, rubber, soil, and other particulates that are permitted to accumulate on our streets. The movement of motor-vehicular traffic over the streets pulverizes these particulates and disperses them over the community. The proper maintenance of our cars, with adjustments of the motors and frequent cleaning of their understructure, in combination with good street sanitation, can minimize these emissions. Many of our municipalities, through the efforts and encouragement of local health and sanitation and street departments and the Environmental Development Program, Environmental Health Services Section, Texas State Department of Health, have done much to abate emission of this type. This improvement has resulted from the efforts of these agencies before city councils and mayors to encourage the institution of collection services, the conversion of burning open dumps into sanitary landfills or their replacement by the use of proper types of incineration units. These sanitary landfills prevent emissions of smoke and acrid gases and, along with regular street-cleaning services, reduce emissions of dust. In addition, a number of cities have passed ordinances which prohibit the burning of solid waste within their areas of jurisdiction.

#### Agriculture

Agricultural operations create air-pollution problems by cultivation of the soil in fields denuded of vegetation coverage. In such situations the soil becomes airborne by wind erosion, especially in the High Plains

area and the arid regions of West Texas. The Extension Service and the Plants Sciences Departments, Texas A & M University, are working in some areas to prevent this erosion. The planting of various crops in close succession, to provide nearly continuous protection through vegetation, is one method that is being employed to counteract this wind erosion. Another is the selection of the best times and methods of cultivation to cut down losses of soil by wind action.

#### Carbon black

Smoke emissions result from the improper combustion of fuels and waste organic matter. The channel carbon-black manufacturing industry, because of the nature of its process, emits considerable carbon particulate, with resulting heavy smoke. Smoke is emitted also with the furnace-oil and gas and thermal-type carbon-black manufacturing methods, except that, with proper trapping devices, such as bag filters, carbon black produced by these three methods emits little or no black. In this state one must not willfully emit smoke from any operation in excess of the amount allowed by Regulation II, Texas Air Control Board. Many of the various sources of smoke emissions are gradually being eliminated through the action taken by the Texas Air Control Board and the cooperation of those persons who are responsible for their occurrence.

#### Natural gas

Some air pollutants in the form of hydrogen-sulfide gas result from the production of petroleum and natural gas and the mining of sulfur by the Frasch process. Some natural gases produced in West Texas contain as much as 22 percent by volume of hydrogen-sulfide gas, while some crude oil contains from 0.5 to 3.0 percent sulfur, part of which may be in the form of hydrogen sulfide in solution. When these gases are brought to the surface the hydrogen-sulfide gas must be stripped out, either by recovery or by flaring. Burning by flare results in the emission of the combustion product, sulfur dioxide, into the atmosphere.

#### Sulfur production

The emission of hydrogen sulfide occurs also in sulfur-mining operations when the sulfur and bleed water are brought to the surface for sale and treatment respectively.

In several areas in the state hydrogen-sulfide gas is recovered and converted to elemental sulfur or neutralized by acid or lime treatment to a sulfate. Sulfur-recovery plants are located in Ector and Andrews Counties, and at several other locations.

#### Papermills

Several papermills in the state manufacture paper from pine and hardwoods. In the digestion of the wood chips for removal of lignin and recovery of salt cake from the spent digestion liquors, odoriferous gases and particulates, if not controlled, are emitted to the atmosphere. These emitted particulates absorb the odoriferous gases, which are liberated from the particle when they reach the atmosphere. Mercaptans released from the digestors when they are blown down are odoriferous. Plants install electrostatic precipitators with 90-95-percent collection efficiency to trap the particulate. The digester blow-down gases are sent to a recovery system for removal of the condensables and some odoriferous gases. A recently completed mill using a scrubber followed by an electrostatic precipitator claims over a 98-percent efficiency in the recovery of saltcake particulates through the waste-gas recovery system. Company officials plan to improve the collection efficiency by installation of additional control devices if needed.

#### PROGRESS TOWARD CLEAN AIR

Prior to the creation of the Texas Air Control Board, the then Air Pollution Control Program, Division of Occupational Health and Radiation Control, Environmental

Health Services Section, Texas State Department of Health, by persuasion and education was successful in the abatement of a number of emissions of pollutants into the community atmosphere. These were obtained primarily where a health hazard was evident and the seriousness of it could be pointed out to the offender, where a nuisance was evident and the local citizens were ready to file suit in court to have the nuisance abated, where an economic loss was resulting from the emission of a valuable product, and in some instances, where the goodwill of the community or region was in jeopardy.

The Texas Air Control Board, whose duties are to protect the air resources of Texas, may do so by promulgation and passage of rules and regulations to protect these air resources. The Board has been quite active and has promulgated and passed regulations to control the emission of particulates, smoke, sulfur compounds, and motor-vehicle exhaust. The Board, through its executive secretary, and with the staff of the Air Control Program, Division of Occupational Health and Radiation Control, Environmental Health Services Section, Texas State Department of Health, has been most instrumental in obtaining corrections of hazardous conditions by persuasion, education, and cooperation of those who are not in compliance with the rules and regulations passed by the Board.

Several cases filed against violators of these rules and regulations when cooperative means failed have resulted in settlements out of court with payment of fines and issuance of court orders in which the offenders agreed to abate the emissions.

Some areas of the state present special problems because of their emissions of pollutants into the atmosphere. A great number of these are of the point-source, or single-source type. In Houston and El Paso, however, meteorological and topographical conditions do combine at certain times to create conditions which cause smaze or undue pollutant loadings to occur. These situations are offensive to some persons living in these areas. In addition, smaze conditions have been noted in the Dallas and Fort Worth areas. Local air-pollution control programs, as well as state programs directed by the Texas Air Control Board, are maintaining surveillance on these areas and are working together to achieve clean air in areas where emissions of pollutants are problems. At the same time these groups are working to prevent further pollution of the atmosphere and to conserve the air resources in those areas where emission of pollutants does not occur or is of little consequence at this time.

#### COOPERATIVE EXTENSION SERVICE IN DISTRICT OF COLUMBIA

Mr. MONDALE. Mr. President, an article published recently in the Washington Post focuses on the excellent initial achievements made by the Cooperative Extension Service program administered by America's only totally urban land-grant college, Federal City College.

Throughout the 90th Congress I urged that the benefits of the Cooperative Extension Service—USDA—long familiar in rural areas in the form of 4-H programs, be adapted to the urban environment in which better than seven of every 10 Americans now reside. I have, in fact, previously introduced proposed legislation to provide for the establishment of such a center at a District of Columbia institution of higher education. Consequently, I draw great personal satisfaction from the reported success of Fed-

eral City College's initial cooperative extension work.

Mr. President, many Senators having origins in the countryside know firsthand the helpful contribution which Cooperative Extension Service efforts make in youth development. I have contended that as our population moves from the country to the city, extension work—especially in its youth development and home economics aspects—should do the same. The early achievements of the Cooperative Extension Service program administered by the Federal City College indicate the soundness of that judgment, and I look forward to increased Cooperative Extension Service efforts in other urban centers.

I ask unanimous consent that the article, written by Elizabeth Shelton, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### COUNTRY-STYLE NUTRITION IN THE CITY (By Elizabeth Shelton)

The Nation's only totally urban land grant college, Federal City College, is copying its country cousins and carrying homemaking and 4-H programs to District residents.

The Cooperative Extension Service program was described yesterday by the College's Associate Dean, Dr. Selma Lippeatt, who said trained nutrition aides are helping Far Northeast and Model Cities area housewives to plan balanced meals on low incomes.

In some cases, the aides, who are residents of the areas served, have become "emotionally disturbed" by conditions of malnutrition, approaching starvation, in homes they have visited, Dr. Lippeatt said.

A group of 12 of the aides, trained intensively by Federal City College before being sent out to rap on doors, is working in the Northeast area. Another 15 recently began canvassing the redevelopment area bounded by Massachusetts and Florida aves., 15th st. nw. and Bladensburg rd., ne.

Dr. Lippeatt estimates the 27 nutrition aides will be able to reach some 1800 families with five or more members by June 30.

The aides have not had "100 per cent success every time they knocked on a door," Dr. Lippeatt conceded, but, she said, there has been a great deal of interest in "better buy-manship," how to stretch a dollar, how to use the food stamp program and manage family finances.

The National Capital Housing Authority granted the Extension Service the use of an apartment in the Lincoln Heights center at 51st st. ne., and with the cooperation of the tenant council and other community organizations, adult classes in homemaking are held there.

A homemaker who has been using raw milk is taught she can get twice as much for her money by using dried whole milk in her cooking and disguising it with flavorings when using it as a beverage.

In poor families where obesity, due to cheap fatty meats and a predominance of starches, is a problem, the homemaker is encouraged to substitute dried skim milk. The nutrition aides also discourage sugary fruit drinks made with powder and fattening but nonnutritious snacks for growing children.

"You can enrich snack time by adding dried milk and apple sauce to peanut butter," Dr. Lippeatt explained. When hunger in the District was last surveyed, she added, "the amount of milk in diets of young children was very high on the list" of inadequacies.

The aides visiting their neighbors wear name tags and hand out brochures reading, "I am a Cooperative Extension Service Aide. I work with Federal City College. These are



the kinds of things I can help you to do." The services offered are illustrated by pictures.

Of the Service's youth development program, Dr. Lippeatt said it is expected between 1000 and 1500 young people will be working in 4-H or other youth development programs by the end of June. "This is only the beginning, the first stage," she said.

Dr. Lippeatt, whose offices are at 815 Mt. Vernon pl. n.w., is a former dean of the Home Economics Department of the University of Maryland and a former deputy to the Director of the Women's Job Corps.

#### HUMAN EVENTS RECEIVES 25TH ANNIVERSARY COMMENDATIONS

Mr. MUNDT. Mr. President, 25 years ago, in Washington, a small group of knowledgeable and patriotic Americans joined in starting a new medium of communication from our National Capital, which at that time was a weekly newsletter called *Human Events*. It was printed on a four-page folio. This effort to bring to serious-minded Americans some of the little-published but highly significant reports of activities and developments in our National Capital struck a responsive chord in this country, and the infant enterprise developed with unusual speed.

Some years later, the format of *Human Events* was changed from that of the usual newsletter to that of a magazine format published in the nature of a weekly report of tabloid newspaper size. It has continued to grow and prosper in this new format and *Human Events* is now firmly established as one of our country's important and widely read media, emphasizing the achievements of good government and the challenges confronting its preservation as viewed primarily, from the standpoint of those devoted to constitutional conservatism.

On the occasion of its 25th anniversary, *Human Events* published a special birthday edition which included expressions of commendation, congratulations, and well wishes from a great many well-known and highly regarded American readers. I ask unanimous consent to have printed in the RECORD pages 39 through 44 of the April 12 "birthday edition" of *Human Events*, so that Senators and the country generally may read these expressions of high regard for one of America's most lively and factual weekly magazines.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

#### GREETINGS ON HUMAN EVENTS' 25TH ANNIVERSARY

Holmes Alexander, *Author and Syndicated Columnist*—"I want to congratulate *Human Events* on its 25th Anniversary. No other publication has been so constant in its duty to bring facts and viewpoints to the American readership. *Human Events* has been resilient in times of adversity and responsive in times that called for reevaluation of news representation. It has been inflexible only on fundamental principles of truth and the republican form of government which our country was founded upon."

Tom Anderson, *President, Southern Farm Publications*—"Since its inception *Human Events* has been one of my favorites. It is newsworthy, factual and educational. The same can be said of many publications, but in addition to those attributes, *Human Events*

is entertaining and highly readable. Sadly, that cannot be said of many so-called conservative publications. *Human Events* deserves the support of all Americans who believe in God, family, country and freedom."

Dr. Edward R. Annis, *Past President, American Medical Association*—"The national liberal communications media as a whole are determined to present a distorted, fragmentary, and often deliberately misleading interpretation of the news. Publications like *Human Events*—and they are all too few—present the other side of the story, and the whole story, for evaluation and critical appraisal from a necessarily broad perspective."

Rep. Leslie C. Arends (R.-Ill.)—"I should like to extend to all associated with this publication my heartiest congratulations. It is the clash of opinions that makes the wheels of democracy turn. *Human Events* has been of great value over the years in presenting a point of view that so often has gone unexpressed in other media of communication. I have been a regular reader of your publication and, to say the least, it has regularly presented the important facts that often escape notice and consideration."

Rep. John M. Ashbrook (R.-Ohio), *Chairman American Conservative Union*—"The resurgence of conservatism in our country during the past few years has been due, in no small part, to the faithful reporting of *Human Events* and we can never thank them enough. *Human Events* has served as a beacon light in the fog of managed news which has been foisted on the American people by the liberal press. As I travel the country, I find that *Human Events* reaches every area and is one of those ties which brings together the responsible constitutional conservatives who work for our principles and oppose socialism and communism. Certainly, achieving this significant milestone is a most commendable occasion. I offer my best wishes for 25 more good years for *Human Events* as we conservatives build a more effective political force in our country."

Hon. Ezra Taft Benson, *former Secretary of Agriculture*—"For years I have read with interest and appreciation current issues of *Human Events* and extend my sincere congratulations for its 25 years of service to the people of the United States and the cause of freedom."

Dr. Geo. S. Benson, *President, National Education Program; President Emeritus, Harding College*—"Twenty years ago we began our subscription to *Human Events*. Its intelligent journalism and the courage and patriotism of its publishers and editors have served well the cause of freedom. It has been a priceless aid to our National Education Program staff in the preparation of our own educational materials reaching an estimated 25 million people weekly. We wish to voice our heartfelt congratulations to *Human Events* on its 25th birthday and express our gratitude for its distinguished service to mankind."

Kenneth G. Benton, *Chairman, Guaranty Trust Co., Phoenix*—"You can be justly proud of the impact and influence *Human Events* has had on thinking Americans during your 25 years in publication. The permissive men of government who have allowed socialism, crime, riots and inflation are on their way out, thanks to you people of *Human Events*, and I hope for a long, long time."

Rep. Ben B. Blackburn (R.-Ga.)—"At a time when most publications appear to be dominated by writers intent on promoting socialism, the demise of our federal system and the loss of local control over local matters, it is refreshing and encouraging to have a publication which speaks out in favor of protecting basic American principles which have given rise to our nation's great success. In my opinion, the American public has begun to recognize the fallacies which exist in much of the thinking which has been fed to them in recent years. Such fallacies can

only be exposed through presentations by publications such as yours."

Prof. Anthony T. Bouscaren, *Political Science Department, Le Moyne College*—"I congratulate the editors of *Human Events* on the occasion of the 25th Anniversary of this fine weekly Washington report. Over the years I have found *Human Events* to be indispensable in keeping up with the key issues which confront us."

L. Brent Bozell, *Editor, Triumph Magazine*—"I have found *Human Events* a consistently valuable source of political news from that increasingly rare perspective, thoughtful American conservatism."

Hon. Spruille Braden, *former U.S. Ambassador*—"I am delighted to express my approval of *Human Events*, to which I have been a subscriber practically ever since I returned from my diplomatic service abroad in 1945. . . . I might add that each time I have resubscribed to *Human Events* it has been for the longest period possible. It was *Human Events* which in the middle of August 1957, a year and a half before the Communists took over in Cuba on Jan. 1, 1959, when Castro came down from the hills, published an article in which I said that if the United States government continued with its then policy we would get Castro, chaos and communism in Cuba. This article was ignored by the State Department. . . . it would be a godsend to the country if some of our so-called leading journals would be replaced by *Human Events*."

Wm. H. Brady, Jr., *President, W. H. Brady Co.*—"The singular accomplishment of *Human Events* is that for 25 years it has challenged the liberal illuminati, and has given great hope and greater courage to conservatives everywhere."

Walter Brennan, *Actor*—"The busy person who desires to keep informed on the rapidly changing events in this most crucial time in our history will find the facts in *Human Events*. I read every issue."

Hon. John W. Bricker, *former U.S. Senator*—"I am glad to offer my congratulations to *Human Events* on the occasion of its 25th year of publication. I read in it many things I would not otherwise read in other papers or hear on radio or television."

Rep. Bill Brock (R.-Tenn.)—"In the past quarter century, thanks to the efforts of responsible, resourceful reporting and analysis such as that in *Human Events*, public opinion in America has slowly but surely been influenced. Today, the results of this long campaign of educating the public and keeping it informed have paid off. In the elections of 1966 and 1968, millions of Americans showed a new awareness of the issues and a stronger support for good, sound government. *Human Events* is one of the reasons for this great popular breakthrough, and so its 25th Anniversary comes at a specially appropriate time. Best wishes for the future, and congratulations on a job well done."

Rep. Joel T. Broyhill (R.-Va.)—"You are to be congratulated on 25 years of consistently fair presentation of the conservative viewpoint, which is so seldom presented in other news media."

Avery Brundage, *Chairman, International Olympic Committee*—"My compliments on 25 years of effective efforts toward sanity in government. Congratulations."

David Tennant Bryan, *Chairman and Publisher, Richmond Newspapers, Inc.*—"I have discussed with my colleagues (responsible for the editorial pages of these newspapers) their own opinions of *Human Events* and find that we are all remarkably in harmony. We believe that *Human Events* has been one of the most consistently reliable, perennially readable, continuously informative publications of any stature and, in our opinion, it is the grand-daddy of contemporary conservative publications: It is our belief that conservatism can thrive in this country only so long as *Human Events*, and its companion

publications, continue to expound the conservative doctrine, to provide a forum for conservative thought and to serve as a source to which conservatives may turn for facts and explanations. We are particularly pleased that *Human Events* finds occasion with some frequency to reprint editorials from the *Times-Dispatch* and the *News Leader*."

Patrick J. Buchanan, *Special Assistant to the President*—"Both as an editorial writer and an assistant to the President, I have found *Human Events* to be an indispensable source of information on the conservative movement and an invaluable symposium of some of the best of conservative writing and thinking in the United States. I would not be without a subscription."

Wm. F. Buckley, Jr., *Editor, National Review*—"I am delighted to join in complimenting the editors of *Human Events* on the survival of their admirable journal over the years. It is a far different publication now from what it was a quarter-century ago when I first came across it. It was then the only lighthouse around—four pages of informed news commentary by Frank Hanighen, an essay of four pages, and once a month a European report. My first published piece (outside school and college stuff) was there, so that I am indebted to it not only for its public, but for its personal services. My heartiest congratulations to the able team which is now in control of it."

Rep. George Bush (R-Tex.)—"I'm sure you will hear from many people on the general benefit they feel your publication has been to their communities, but I wanted to add my words of congratulations and best wishes for many more years!"

Sen. Harry F. Byrd Jr. (D-Va.)—"Your editors and staff deserve a rating of high excellence for a helpful evaluation of vital national issues and problems. My hope is that *Human Events* will maintain its important contributions to our true national welfare far into the future. I know they are needed and believe they will be appreciated."

Taylor Caldwell, *Author*—"I rely on *Human Events* to get the truth in the current news."

Jameson G. Campaigne, *Editor, Indianapolis Star*—"We at the Indianapolis Star have been reading *Human Events* since the days of Felix Morley, Frank Hanighen and Jim Wick and though it has gone through many changes it still serves as an inspiration and informant for conservative writers and thinkers. In those early days it seemed like a lonely voice, but I am glad to be able to say that its influence was in large measure responsible for the rise and success of other conservative journals and magazines, and for the growing success of conservative influence among young Americans. It has always been useful to us as a source of information and a challenging expression of vigorous conservative philosophy. I can only hope for its continued success in the future."

John Chamberlain, *Author and Syndicated Columnist*—"I rely on *Human Events* absolutely. Long life to you."

William Henry Chamberlain, *Author*—"As one of the frequent early contributors to *Human Events*, launched by the late Frank Hanighen and Felix Morley during the war, I am glad to offer 25th birthday greetings to a publication that has never gone with the tide and has provided a continual voice of dissenting criticism of the many follies of United States foreign and domestic policy. I think especially of its vigorous rejection of the adulation of Stalin which was all too common in the war years and engulfed some of our best-known magazines and commentators. *Human Events* has also furnished a rallying point for critics of the unsound financial and economic policies that have led the United States down the primrose path of inflation. May its 50th and 100th birthdays be equally or more auspicious."

Fred G. Clark, *Chairman, American Economic Foundation*—"Twenty-five years ago I had occasion to congratulate Frank Hanighen on having launched a new potential means of communicating significant news generally ignored by the mass media. Today, I congratulate you for having made this potential a reality. The truth is not always popular, but it is always important."

Gen. Mark W. Clark—"As an avid reader of *Human Events*, I am deeply impressed with the value of such a publication. Since the conservative point of view has so few eloquent voices in these times, *Human Events* takes on added importance in our day. It is my hope that it will long continue and that other quality conservative publications will follow in its wake."

Prof. Roy Colby, *Colorado State College*—"It is obvious that movements, trends and significant events on both the national and international scene are subject, in general, to two diverse interpretations: (1) that of the collectivists, who misuse words to coerce men into desiring and accepting what is deemed good for them by other men; and (2) that of the liberators of the human spirit, who encourage men to develop their potentialities as individuals. For a quarter of a century, *Human Events* has been exposing the seductive but spurious values of the former position and extolling the merits of the latter."

Joe Crail, *President, Coast Federal Savings and Loan Association*—"Human Events is 'first reading' when it arrives every week. *Human Events* provides valuable intellectual leadership and documentation for letters, speeches and educational material in our struggle against the rise of a Socialist dictator. It is also interesting news, as it happens, and with background material of the liberal-conservative conflict in Washington and throughout the country. The dedicated publishers, editors, writers and supporters have my thanks and congratulations for 25 years of important as well as entertaining service."

Rep. William C. Cramer (R-Fla.)—"Human Events has rendered an outstanding public service in making known to its subscribers what is going on in government and calling attention to the people the serious problems which our country is facing. Many of my constituents and friends read *Human Events* and have expressed their sincere appreciation to me for the valuable information that has been provided to them. I myself have found much of the material enlightening and interesting and I look forward to receiving continued issues."

Philip M. Crane, *Author, Academician*—"Congratulations to *Human Events* on its Silver Anniversary. Thank God for Frank Hanighen, James Wick, Milton Wick, and the entire *Human Events* family. *Human Events* is a trusted friend no conservative can afford to be without. Its journalistic integrity and reportorial accuracy are as vital in trying to keep Republican administrations honest as in exposing the heavy-handedness of every Democratic administration since the publication's birth. May *Human Events* continue to enjoy good health for another quarter-century and may it ever adhere to its policy of independence of any individual, however exalted, and complete dependence upon principle, however degraded."

Sen. Carl T. Curtis (R-Neb.)—"Human Events is a publication that performs a very definite and beneficial public service. I like its fearless devotion to principle and to the preservation of the political philosophy that has made the United States a great nation. Because of its uniqueness it gives to its readers needed information not found elsewhere."

Wainwright Dawson Jr., *Chairman, United Republicans of America*—"The consistently sound information and analysis on the state of our Republic has made *Human Events* the greatest political tool in publishing to-

day. Conservatives all across the country agree that *Human Events* is the major cohesive force of our cause. I hope we may count on this effective newspaper for another 25 years at least."

Prof. Gottfried Dietze, *Department of Political Science, Johns Hopkins University*—"Congratulations on your 25th Anniversary! *Human Events* has rendered a great service by staunchly defending free government and by constantly reminding the people of the venerable ideals of the Constitution. My best wishes for your continued success!"

Prof. Lev E. Dobriansky, *Department of Economics, Georgetown University*—"On its 25th Anniversary *Human Events* deserves the greatest tribute for its forthright and courageous reporting of news, events and interpretations that ordinarily cannot be found in most periodicals and newspapers. It fully represents what Jefferson meant: 'When the press is free and every man able to read, all is safe.'"

John Dos Passos, *Author*—"I have subscribed to *Human Events* since its inception 25 years ago. With the increasing deterioration of the daily press as a source of news an opposition organ becomes more and more needed. To obtain any kind of balanced picture of what is going on in the world you have to have the other side of the story. *Human Events* furnishes that other side of the story."

Rep. John Dowdy (D-Tex.)—"Human Events has displayed courage and insight during the years I have read this publication. I have found this paper to be dependable, and I am glad to receive it from time to time."

Allen Drury, *Author*—"Human Events is to be congratulated on reaching its 25th birthday in such lively and effective shape. It digs into dark corners and brings into the light many interesting facts which otherwise would be carefully swept under the rug by the so-called 'liberals.' This is an invaluable service in an era when some extremely powerful broom-wielders are doing some very frantic sweeping. May the next 25 years be as constructive and worthwhile."

Hon. Charles Edison, *former Governor of New Jersey and Secretary of the Navy*—"As a subscriber to *Human Events* from its very beginning, I have found it consistently excellent and most helpful in keeping me accurately informed on important issues of the day. I look forward eagerly to reading it every week. Heartly congratulations on your 25th Anniversary."

Sen. Sam J. Ervin, Jr. (D-N.C.)—"Human Events has rendered great service to the American people by its constant advocacy of the fundamental principles upon which the United States was founded. I commend its reading to all Americans who believe that liberty is the supreme value of civilization, and trust that it will have other anniversaries throughout the foreseeable future."

Sen. Paul Fannin (R-Ariz.)—"Human Events has been most helpful to me in my service in the United States Senate. There I find stories and information that appear in no other weekly publication. Often this information appears in *Human Events* days and weeks before I see it printed elsewhere. Therefore I consider *Human Events* a vital part of the Washington news scene and wish many more years of publication to those in charge."

Lawrence Fertig, *Author, Economist*—"Human Events fills an important need in the intellectual life of Conservatives. It provides essential information to guide one's thinking and it also gives encouragement and inspiration to those who are dedicated to the preservation of a free society. In view of calculated distortion of news in the press, and by radio and television commentators, *Human Events* is all the more important these days. Nowhere else can one read the weekly comments of so many leading Conservative writers, and nowhere else can one get the kind of infor-



mation which is either eliminated or submerged by general news media."

John M. Fisher, *President, American Security Council*—"I have found that *Human Events*, over the years, has been alert to matters affecting our national security and responsible and articulate in expressing its point of view with regard to these issues."

Frank Flick, *President, Flick-Reedy Corp.*—"Whether we are losing the battle and are destined by God to be the remnants, or holding the line, or reversing the tide of false teaching, *Human Events* will go down in history as one who contributed great things in a tireless and encouraging manner."

Rep. Gerald R. Ford (*R.-Mich.*)—"Conservatism needs more than routine exposition. If the true meaning of conservatism is to be understood, it needs enlightened interpretation. That is what *Human Events* has been providing for a quarter of a century—a service most beneficial in this world of sharply contending political philosophies. It therefore gives me pleasure to pay tribute to the editors and staff of *Human Events* in this 25th Anniversary Issue."

Rep. Ed Foreman (*R.-N.M.*)—"Human Events is one of my favorite publications. Consistently—it is objective in its reporting, correct in its analysis—it remains a most important piece of reading matter. For a nation weary of liberal rhetoric, *Human Events* offers—as it has for the last 25 years—a clear, reasonable approach to event-making news."

Patrick J. Frawley Jr., *Chairman, Schick Safety Razor Co.*—"Human Events is 'must reading' for getting a full and balanced viewpoint of what is happening in the nation. Its style of interesting, responsible and accurate reporting makes it easy to keep on reading every week."

Sen. Barry M. Goldwater (*R.-Ariz.*)—"I am very happy to tell you what a great contribution I feel *Human Events* has made and is making in the not-too-easy task of telling the American people about honest conservatism. It has been of great value to me in my years in the Senate, and I look forward to working with the staff in the years ahead."

Pierre F. Goodrich, *Attorney*—"My remembrance of *Human Events* goes back to the first copy I ever received which must have been in 1944. I was throwing away mail, but this particular thing happened to arrive in my wastebasket face up and it said *Human Events*. I thought that was a strange title and I pulled it out of my basket. I have been a reader of *Human Events* ever since then. . . . There are some parts of the country where we can buy the *Chicago Tribune* and the *Indianapolis Star*. There are other parts of the country where that is impossible. While *Human Events* is welcome reading even in this hopefully better-informed area, it surely must be worthwhile where there is no news coverage otherwise. . . . I think *Human Events* is an important weekly newspaper which colleges may well justly omit than their necessity of having the *New York Times*. I am wondering if you might not test somewhat the intellectual integrity of the college by the extent to which it excludes one or the other or both."

Wm. J. Grede, *Chairman, Grede Foundries, Inc.*—"Some people are still thanking me and expressing appreciation for the fact that on that first launching of *Human Events*, I placed their names on the subscription list. Through the intervening years, *Human Events* has consistently carried on a program of objective reporting and at the same time, when the bulk of the mass media press were extolling the virtues of the trend toward socialism, *Human Events* kept the fundamental American philosophy of freedom clearly before the eyes of its readers. For this reason it has served not only as an inspiration for me, but has served well as an educational tool which I have for many years made available to staff and other employees in our company, to educators at grade, high school, and college level, and to college students. It is my

hope that this 25th Anniversary is only a way station on a continuing journey dedicated to the preservation of conservatism and freedom in a free America."

Rep. H. R. Gross (*R.-Iowa*)—"I have been a regular reader of *Human Events* for many years and have always found its articles to be accurate and informative. Most importantly, it performs a vital function in espousing the conservative cause."

Rep. Charles S. Gubser (*R.-Calif.*)—"In my opinion, *Human Events* presents the conservative point of view in a manner which is completely responsible and ethical. By so doing, it contributes to the national welfare by helping to balance the information on which national policy is based. I wish you many more successful years of printing the truth."

Sen. Edward J. Gurney (*R.-Fla.*)—"Ever since *Human Events* was founded it has been a valuable source of information for the Conservative community. In my own case, it has saved my staff and me from tedious research and helped to keep us informed on the thinking in this country. Many of us read *Human Events* as a guide and use it to supplement our own thinking. I can only hope the editors continue to publish this fine newspaper, and in doing so, continue their outstanding service, not only to the Conservative element in this country, but also to all concerned Americans."

Rep. Durward G. Hall (*R.-Mo.*)—"Human Events has served as an effective voice in combating and answering the privileged liberal dogma. It has also served as a thoughtful and constructive exponent of the conservative cause."

Sen. Clifford P. Hansen (*R.-Wyo.*)—"Let me extend my thanks to the staff of *Human Events* for articulating a valid point of view that all too often would be not adequately covered if not for your efforts. There are a number of us who appreciate the efforts that you have made in the past and look forward to your contributions in the years ahead."

Walter Harnischfeger, *Chairman Harnischfeger Corp.*—"I was well acquainted with Mr. Hanighen who founded this publication. It is one of the outstanding publications which is consistently writing articles on economic and political conditions and expressing the truth. In this day and age, when there is so much false propaganda, it is of great importance that there is a newspaper like *Human Events* still in existence."

Henry Hazlitt, *Author and Economist*—"If *Human Events* did not exist, I for one would be a less informed man, and certainly a far more discouraged one. *Human Events* has been important to me first of all because of its background information and its news—news of political developments, plans and plots that one seldom gets in the ordinary newspapers and newsmagazines. In addition to that I find it a constant source of encouragement. It tells me that I am not alone. Whenever I am disturbed by some new leftist development, some new scheme of government spending, some new usurpation of government power or extension of the welfare state, and find nothing but praise for this development in the Establishment press, my sense of frustration is almost sure to be relieved by the next issue of *Human Events*, where I find a realistic appraisal of the new project. *Human Events* has given encouragement and a wider audience to many of the country's outstanding conservative writers, and increased their influence individually and collectively. It has been second to no other periodical in its defense of free enterprise, law, order, honorable peace, and individual freedom. America will need it even more in the next 25 years than in the last 25 years."

John A. Howard, *President, Rockford College*—"In an era when a great part of the public news media has maintained a forceful editorial policy in support of governmental

answers to the great problems of society, *Human Events* has provided one of the few consistent and forthright voices in behalf of local initiative and individual responsibility for decision-making. Our country is the stronger for the courage of *Human Events* in making widely known both the philosophical and the practical reasons for maintaining a decentralized society."

Sen. Roman L. Hruska (*R.-Neb.*)—"It has become commonplace over the past quarter-century for constituents to send me clippings from *Human Events* with the observation that 'the enclosed article says it better than I can.' I can think of no higher praise for a publication which seeks to present a consistent and outspoken viewpoint on the issues which confront our nation."

William Jackman, *President, Investors League, Inc.*—"Many congratulations to you and your predecessors for keeping *Human Events* alive and active for the past 25 years. No one interested in national politics and economics should do without it. Your editorial staff is excellent. The conservative community now needs it more than ever. It deserves to receive a great deal more corporate institutional advertising."

David R. Jones, *Executive Director, Young Americans for Freedom*—"Human Events has been the pace-setter for those young Americans who want this nation to be a beacon light for free men everywhere. *Human Events* has provided thousands of young Americans with an up-to-date review and preview of news emanating from our Nation's Capital. Those who cherish individual liberty through constitutional government can be grateful for the efforts of those who keep the torch of liberty glowing at *Human Events*."

Jenkin Lloyd Jones, *Editor and Publisher, Tulsa Tribune*—"One of the strongest points of *Human Events* is its willingness to document in detail a case against some of the popular thinking of the moment. Good journalism in every age requires observers who have the courage to defy orthodoxy and to think unthinkable thoughts. I find a lot in *Human Events* that is worth thinking about."

Howard E. Kershner, *Editor, Christian Economics*—"Human Events is the best collection of news and comment on political affairs coming out of Washington. I have read it almost from the beginning and find it indispensable to one who seeks to keep abreast of the Washington scene. As a columnist, radio commentator, editor and writer on political, economic and international affairs, I would not be without this useful aid. Best wishes for the next quarter-century."

James J. Kilpatrick, *Syndicated Columnist*—"In terms of conservative values, *Human Events* performs the same vital function that once was performed by the patriarchs of ancient tribes. Their task was to preserve the tablets—to see that the laws and covenants and judgments, graven in stone, were passed from one generation to another. One of the happy aspects of *Human Events*, however, is that its editors do not perform this solemn task solemnly. They go at it lustily—even belligerently—in the combative spirit of men who love to fight for the causes they cherish. They hit hard; and they consistently come up with reports and viewpoints that I find nowhere else."

Gov. Claude R. Kirk Jr. of Florida—"Human Events has fulfilled a role in American journalism for 25 years as an articulate advocate for the conservative point of view. Best wishes on this 25th Anniversary and for at least 25 more years of outstanding service to your readers."

Russell Kirk, *Author and Syndicated Columnist*—"It is heartening to observe the steady growth of *Human Events* over the years in vigor, circulation and practical influence. The paper commenced as an endeavor to counter injustice and imprudence in American foreign policy; it now casts its net wide. It is weary work, contending

against the follies of the mass-age; but the editors of *Human Events* cheerfully take arms against our sea of troubles."

Walter Knott, *President, Knott's Berry Farm*—"Congratulations to *Human Events* on its 25th Anniversary. It has been my pleasure to watch you grow. I have always found your articles interesting, enlightening and courageous; and may you continue to provide such articles for your readership."

Gen. Thomas A. Lane, *Author, Syndicated Columnist, President, Americans for Constitutional Action*—"Ours is an age when reason is overwhelmed by errors. The liberal news media are floundering in a fog of emotional irrelevance. Our people are oppressed and bewildered by bad counsel. To this scene, *Human Events* brings clear vision and sound analysis. On my lecture tours, I have been told repeatedly by concerned citizens, 'I didn't know what was happening in this country until a friend gave me a subscription to *Human Events*.' I rejoice in this 25th birthday of *Human Events* and in its growing acceptance by our people. Where *Human Events* goes, light is shed."

Reed Larson, *Executive Vice President, National Right to Work Committee*—"I look forward to receiving *Human Events* each week. It provides a breadth of coverage and insight which is available from no other publication. *Human Events* offers an important service for the entire nation by providing a measure of balance to the reporting available to the American people."

Victor Lasky, *Author and Syndicated Columnist*—"Human Events is not only the voice of decent conservatism—at a time when conservative voices are few and far between—but it is always readable, exciting and provocative. Long may it be published!"

Fulton Lewis III, *Radio Commentator*—"When historians write their reviews of the past quarter of a century, they will find it difficult to ignore the magnificent role which *Human Events* has played in the crusade to preserve American principles. I am proud to be among the many who salute you on the occasion of your 25th Anniversary. As a distinguished, responsible and dynamic voice of conservatism, you have earned and deserve much respect and admiration."

William Loeb, *President, Manchester (N.H.) Union Leader*—"Every U.S. citizen who wants to see our nation develop and grow in harmony with the principles set forth by the signers of the Declaration of Independence should read *Human Events* each week so as to determine how the battle is going and on what new bastion the enemy must be met. For a quarter of a century *Human Events* has been the lighthouse on freedom's shores."

Ted Loeffler, *President, Viewpoint Books*—"In an era which has seen the inauguration of more Socialist programs than the United States has ever known, *Human Events* dared to speak out; dared to have a purpose and make it known. The dedication of *Human Events* to fearless reporting from a conservative viewpoint has played no small part in the holding action against incompetence and political irresponsibility."

Philip Abbott Luce, *Author*—"Human Events is the only publication that isn't afraid to report the truth every week from our Nation's Capital. If I had to depend upon the generally accepted mass media outlets for my news from Washington, then I might be tempted to 'drop-out' of the political fight. I hasten to add the fact, generally unknown and never unfortunately boasted about, that the owners and staff at *Human Events* represent the youngest political talent on any major political publication in the United States. Any college student fearful of the 'system' need only look at Tom Winter, Bob Kephart and Allan Ryskind to find the courage to buck the current ultra-liberal political trend. The staff at *Human Events* has proven that you can be young, radical and

truthful while producing a weekly newspaper that causes our liberals and leftists to retreat to their philosophically dark and dank ivory towers."

Rep. Donald E. "Buz" Lukens (R.-Ohio)—"On occasion I have not agreed with you; however, your paper has never failed to shed a refreshing insight to the many problems facing our country. To the truly concerned American, regardless of his ideology, *Human Events* has succeeded in broadening the individual's knowledge of the issues of the day when that individual would normally have been handicapped and shortsighted because of the predominately liberal editorials presented by the majority of the news media."

Daniel Lyons, S.J., *Author, Editor, Twin Circle*—"Human Events is by far the finest publication in its field. It is required reading in order to keep informed on what concerns our country. I read it every week and would never be without it."

Eugene Lyons, *Author and former Senior Editor, The Reader's Digest*—"I have been a subscriber to *Human Events* from the day it was founded and an occasional contributor throughout the years. So it is almost as a member of the family that I want to congratulate not only the newspaper, but ourselves. Left-liberal propaganda in the last dozen years has succeeded, alas, in turning 'anti-Communist' into a dirty word. The need for hard, dedicated anti-communism is therefore especially urgent today, and support for *Human Events* consequently indispensable."

J. Daniel Mahoney, *State Chairman, Conservative Party of New York*—"Human Events has been a tremendous source of information, counsel and journalistic leadership to the entire conservative community. The growth of the conservative movement in recent years is attributable in no small part to the inspiration and guidance which *Human Events* has provided over the past 25 years. Not only has *Human Events* been in the forefront of day-to-day political developments, it has also played a key role in shaping the thinking of the conservative leaders who are now at the forefront of the American conservative movement. All of us owe a great debt of gratitude to *Human Events* for its fine work over the years."

Clarence Manion, *former Dean, Notre Dame Law School*—"I can hardly believe that I have been receiving *Human Events* for only 25 years. It seems to me that the solid conservative convictions that it helped me to form are much older than that. But I am sure of this: I couldn't do without *Human Events* now. So may God bless *Human Events* and keep it coming."

Hughston M. McBain, *former Chairman, Marshall Field and Co.*—"Looking back across the years, what impresses me most about *Human Events* is that no one need ever be ashamed of what it has said, or the positions taken, on countless important issues. I know of no other publication with such a record. How did this happen? I think I know the answer. From the start, its editors' credo has been truthfulness and integrity. They have remained steadfast against the temptations ever before them to 'go along with the crowd,' 'butter-up politicians and bureaucrats,' and let 'expediency' cause them to let down their standards."

Neil McCaffrey, *President, Conservative Book Club*—"I know of no publication over the past quarter-century that has been so consistently reliable, accurate, perceptive and comprehensive in its political coverage as *Human Events*. Without *Human Events*, many conservatives would have been flying on one engine—and many others would have been grounded. My one regret is that it took most of these 25 years for this valuable weekly to reach a circulation of 100,000. I hope it reaches 200,000 much faster. That will be a sign that our country has turned the corner."

Charles A. McManus, *Executive Director,*

*Americans for Constitutional Action*—"For 25 years *Human Events* has consistently been in the forefront of the crusade to provide accurate and worthwhile news of vital importance to the over-all workings of our political system and the success of our constitutional form of government. *Human Events* has provided an invaluable service to the public by presenting responsible conservative opinions along with a clear, concise summary of current events. For many years responsible conservative groups have been fighting for a cause that at times seemed lost, or at best unpopular. Finally, through a monumental effort, with *Human Events* among the leaders, constitutional conservatives have reached a position of strength which seemed virtually unattainable 25 years ago."

Rogers Milliken, *President, Deering Milliken, Inc.*—"Responsible citizenship requires that said citizen shall be as well informed as possible on the issues affecting his country. *Human Events* over the years has done much to bring to the attention of its readership an extremely important point of view in the analysis of the news which has done much to round out the knowledge of its readers."

Raymond Moley, *Syndicated Columnist*—"I have never known a more dedicated and unselfish man than Frank Hanighen and that applies equally to Jim Wick. If they were alive I know they would rejoice in the growth and influence, and the extension of coverage that is represented in *Human Events* today. With so many of our publications following the Liberal party line, especially the ones that emanate from New York, this torchbearer of sound principles is a blessing for a country which must return to fundamental principles or it too, like other great nations, will perish. This mission is now entrusted to new editors who are equally dedicated to the objectives which the founders established so many years ago. As a journalist I find it indispensable writing every week."

Adm. Ben Moreell, *Chairman, Americans for Constitutional Action*—"I have always been proud of the fact that I was among the first supporters of *Human Events* when it was officially launched in 1944. As I look back over the years since that date I am impressed by the almost insuperable difficulties that this struggling venture has faced and overcome. It has not been easy, I know. It took dedication to high ideals, perseverance, wisdom and lots of courage to stay with the task during many years when the going was very, very rough. There is no way to calculate one's debt to *Human Events*. Perhaps those who owe most are the starry-eyed liberals who more than once were saved from their folly by the courageous men of *Human Events* who were resisting them! But all of us are indebted to them for holding high the banner of freedom while many of us slept!"

George Morgenstern, *Editor, Editorial Page, Chicago Tribune*—"I was an admirer and friend of Frank Hanighen, who founded *Human Events* 25 years ago, and wrote with some regularity for his weekly report on the national scene. We felt a wrench at his passing, but, providentially, *Human Events* went on, and its standards of conviction and courage are no less than they were in his day. As a reflection of what is right and what is wrong in America, and especially in its political management and its courage in world affairs, *Human Events* gives heart and direction to conservatives. As long as it persists, we may hope that our day will yet come."

C. C. Moseley, *Businessman*—"I have read *Human Events* with great interest since its inception and have been so impressed by the outstanding job it does of informing our conservative community concerning the problems confronting our nation every day that I have subscribed for many of my friends."



Edgar Ansel Mowrer, *Author and Syndicated Columnist*—"During the quarter-century of its existence, *Human Events* has kept the torch of freedom burning, notably at times when other Americans, misguided or over-optimistic, have sought to replace it by a torch of peace. This is a great achievement."

Sen. Karl E. Mundt (R-S.D.)—"Whether it be a background analysis of the forces at play within and without America shaping foreign policy, or an in-depth exposure of under-the-table dealings designed to siphon away tax dollars from legitimate use, or a simple barb deflating the pomposity of some power-hungry political figure, the impact of *Human Events* has been a forceful voice for national liberty and individual freedom. No one can measure the contributions of *Human Events* in helping the citizens of this free nation better understand the swift-moving events which have enveloped our world in this quarter of a century. Fortunately it is not necessary to gauge these contributions, for the fact that this is the 25th Anniversary observance of the publication speaks well of its influence and foreshadows its continuing importance in the coming years."

Sen. George Murphy (R-Calif.)—"As you well know, I am a consistent and avid reader of *Human Events* and find it of special importance not only in helping to form decisions, but also in keeping well-informed on the many matters which daily concern all of us."

Frederic Nelson, *former Editor, Editorial Page, Saturday Evening Post*—"I take in, as the British put it, three newspapers every day, but still find in *Human Events* important news which eluded all of them."

Arthur C. Nielsen Sr., *Chairman, A. C. Nielsen Co.*—"According to my observations, *Human Events* has made substantial contributions to our country in many ways. By keeping its readers well informed about many operations of government—operations very unlikely to come to their notice through other channels. By equipping teachers, ministers of the gospel and other influential persons with important, interesting facts and ideas which they can and do pass on to their students and congregations. By providing political workers with information which not only results in a great increase in their effectiveness, but also inspires them to work more actively for the important causes in which they believe. In these and other ways *Human Events* is playing an important and effective role in slowing the growth of government where further growth is unjustified, increasing the efficiency of government by exposing flagrant cases of waste and improving the morality of government by exposing unethical conduct."

Peter O'Donnell, Jr., *Chairman, Republican Party of Texas*—"I find *Human Events* to be very valuable because it gives excerpts of important news from a wide range of publications."

Otto F. Otepka, *Member-Designate, Subversive Activities Control Board*—"On the occasion of the 25th Anniversary of *Human Events*, I feel greatly honored as a government employee to offer my views on the services your publication has contributed as encouragement to every federal employee who exercises his rights in the interest of principles that have always been a part of our national heritage. I have been a reader of *Human Events* since 1946 and I know from such experience that you have consistently maintained the highest standards of editorial integrity and accuracy in presenting current news about matters that affect our national security. I can also say from my own experiences that the American people need a publication like *Human Events* to tell them the facts about national affairs which they are entitled to know that frequently are absent from the columns of many daily newspapers."

John H. Platts, *President, Whirlpool Corp.*—"It is with great interest that I look

forward to receiving each issue of *Human Events*. While I frequently find my posture on a subject somewhat more liberal than that of the *Human Events* staff—nonetheless, their points of view are objectively presented and fully researched."

Stefan T. Possony, *Director, Hoover Institution on War, Revolution and Peace*—"Human Events is one of the most informative publications in the United States. It has provided a forum for the discussion of issues which are shunned by our mass media, and it has contributed a great deal to the clarification of public issues. *Human Events* seeks the truth, not cheap popularity."

Eugene C. Pulliam, *Publisher, Phoenix Republic and Gazette*—"I have long admired *Human Events'* ability to dig behind the news headlines and come up with significant information that is otherwise often ignored or distorted. Your enterprising writers, reporters and researchers have illuminated many dark corners of government and politics."

Max Rafferty, *Superintendent of Public Instruction and Director of Education, State of California*—"There are few publications today which carry a constant standard of human values to which the wise and the honest may repair. I have always looked on *Human Events* as a medium of communication which is unique in that it consistently stresses the all-too-often-forgotten fact that in this life, this world, this universe, there are certain eternal truths, certain lasting values, certain positive standards which the founders of our country found essential in building the American dream. To a conservative who values above all other things the preservation of eternal verities, *Human Events* comes literally as a godsend."

Gov. Ronald Reagan of California—"Please accept my congratulations on the 25th anniversary of *Human Events*. Your efforts during the past quarter of a century have paid tremendous dividends by keeping concerned Americans aware of the critical events and issues of our time. I know you will continue on your course of informing our citizens and making further contributions to better government in the years ahead."

Rep. John J. Rhodes (R-Ariz.)—"In its 25 years of publication, *Human Events* has fulfilled a vital need. It has been a voice of enlightened conservative philosophy. So much time and space has been devoted to explaining and expounding the philosophy which advocates centralization and big government that opposing philosophies have by comparison received little in the way of exposure and explanation. In fact, without publications such as *Human Events*, this generation of Americans might not have been cognizant of the existence of a philosophy dedicated to the freedom of the individual, under law, with a concept that the government should only do for the people those things which the people cannot do for themselves."

Victor Riesel, *Syndicated Columnist*—"When in the course of *Human Events* one reads and is intrigued by, edition after edition, issues and crusades, on the foibles and mores, on the corner-cutters and political wheelers and dealers, one knows he has heard the reasonable voice of the rational right, the incontrovertible conservative, the check-and-balance of a society seared by short-order, philosophical cooks and semi-skilled intellectuals. What is exhilarating about *Human Events* are the enemies it keeps—and keeps. Its opponents and critics, generally the voice of gloom and doom which rarely materialize, it seems to me, have been consistently wrong. During the 25 years of *Human Events'* existence, it has been consistently right. Not strident. Just right, while its louder critics later mumbly forget how wrong they've been. It has raked the muck of politics strewn by the extremists. It has therefore been the target of those who hide behind the rhetoric of vituperation, shouted

from ivory towers. So it has been an exciting 25 years. Here's to another hard-hitting quarter-century—and more and more."

W. F. Rockwell, *Honorary Chairman, North American Rockwell Corp.*—"The shocking decline in morals, the fearsome increase in crime rates, the disastrous inflation, and the increasing bureaucracy in our government have been duly recorded in *Human Events*, and will be available to the historians and philosophers of the future. If this nation retains its position as the greatest in this world, both in its peacetime pursuits and in its military powers, it will be because it has returned from its atheistic and Communist course to its original religious and constitutional principles."

William A. Rusher, *Publisher, National Review*—"I had the privilege of knowing Frank Hanighen and Jim Wick personally, and know the ability and rock-like integrity that both of them brought to the task of reporting the Washington scene. In Bob Kephart, Tom Winter and Allan Ryskind they have three sturdy young successors capable of carrying on in the great tradition."

Rep. Henry C. Schadeberg (R-Wis.)—"Your publication has been at the forefront of helping to present the Washington scene to my constituents. Because you 'tell it like it is,' thousands of people throughout the United States are getting information which they would not receive from any other source. You fill a needed vacuum in the area of communications."

Phyllis Schlafly, *Author*—"As a regular reader of *Human Events* for 24 years, I have found it indispensable for accurate news often overlooked by other publications. It is consistently reliable and interesting, and it is an inspiring example of fearless journalism at its best."

Emerson P. Schmidt, *Economic Consultant*—"The editors of *Human Events* provide a rich alloy of carefully researched information on government agencies and politics, which is largely ignored or overlooked by other news media. Its stable of hard-digging columnists furnishes a vast panorama of fact and sharp analysis. The format makes for easy and comfortable reading."

George S. Schuyler, *Author and Columnist*—"It is astonishing to note but pleasant to reflect that *Human Events* has been published for a quarter-century and will celebrate its 25th Anniversary in April. It was the spark needed to enliven and enlighten the Washington scene, and to report to the country the conservative view of our government. I personally became aware of its courage and dedication when more than 10 years ago it carried and reprinted my controversial piece on the Dominican Republic and Trujillo; 'Where Communists Fear to Tread.' It has also been gratifying to watch its growing influence in governmental circles as shown by the congressional contributors. I am very pleased to have been able to contribute in a small way to its influence and expansion."

Paul Scott, *Syndicated Columnist*—"On its 25th Anniversary, *Human Events* has become the voice for those that believe much of the past must be kept to guide us in making the changes that will be necessary to keep this nation free and its leaders dedicated to developing the brotherhood of man under the fatherhood of God."

R. K. Scott, *President, America's Future*—"I have not missed a single issue of *Human Events* in the past decade and a half. Nor has there been a single issue that did not have at least one important article of information that might not have otherwise come to my attention. *Human Events* has been and will always be 'must' reading for my family."

Rep. William L. Scott (R-Va.)—"Your publication keeps me abreast with the political trends and feelings of the conservative community. I wish you continued success

in your efforts to serve a major segment of our political thought."

John P. Sears, *Deputy Counsel to the President*—"I have always been impressed with the content of *Human Events* and wish to compliment it upon its 25th Anniversary for a job well done. *Human Events* represents a responsible voice on the right which can never be disregarded."

Prof. Hans F. Sennholz, *Grove City College*—"Human Events is the conservatives' window to the political maze that is Washington. It is a clear window through which we may observe liberal intrigue and power politics, and above all, the ascendancy of Caesar."

George C. Shattuck, *M.D., Harvard Medical School*—"I regard *Human Events* as a reliable source of important news, much of which has been slighted or overlooked by the daily press."

Charles B. Shuman, *President, American Farm Bureau Federation*—"I want to congratulate *Human Events* on its 25th Anniversary of service to the conservative cause in America. It has been a valuable reference source for me, as I have sought to cause farm people to understand the dangers of centralized and socialized controls in agriculture. *Human Events* provides a concise review of the events and issues that affect the continuing battling between those who believe in the market economy and those who favor central planning."

Adm. Lewis L. Strauss, *former Chairman, Atomic Energy Commission*—"I had not realized that *Human Events* was approaching a milestone. When my late, great friend, Frank Hanighen, founded *Human Events* a quarter-century ago, I became a constant reader. I was then in government service and it was of enormous value to me to be able to read an analysis of current history, domestic and foreign, which, knowing Mr. Hanighen, I could be certain was honest and penetrating. I have been out of public life for 10 years—and three years beyond the Biblical span—and my horizons no longer extend so far as once they did, but I see that Frank's successors maintain the high standards set, and I congratulate them and wish them my warmest greetings and respect."

Sen. Strom Thurmond (*R.-S.C.*)—"Human Events is to be highly commended for giving the people the inside story on what's happening in Washington. It has rendered this unique and distinctive service for 25 years and I wish *Human Events* continued success in the crucial years ahead."

Sen. John G. Tower (*R.-Tex.*)—"I have always found this publication to be most helpful in keeping me informed of the trends in America. I am sure that *Human Events* will continue to live up to this standard for the next 25 years of its existence."

Gen. Arthur G. Trudeau, *Assistant to the Chairman, North American Rockwell Corp.*—"As a long-time subscriber to *Human Events*, I extend my congratulations to you and all concerned as the 25th Anniversary approaches. I am sure this fine little paper, from the time of its founding, has provided invaluable information to its readers and has helped to support a strong constitutional stand against the ravages of the growing welfare and Socialist state."

Richard A. Viguerie, *President, Richard A. Viguerie Co.*—"Human Events was one of the first conservative publications brought to my attention as a young person while I was in the process of forming my political opinions. To a large extent I owe my commitment to free enterprise and anti-communism to *Human Events*."

Prof. Ludwig Von Mises, *New York University*—"Nothing is for all of the people more important than the preservation of the fundamental human right, the right of the individual to choose the way in which he plans to integrate himself into the system of human society. In this fight for freedom

and against totalitarian enslavement of all, *Human Events* has accomplished a brilliant job. All true friends of freedom and prosperity do hope that *Human Events* and its brilliant contributors will be no less successful in these endeavors in the coming years."

George R. Wackenhut, *President, The Wackenhut Corp.*—"The role of *Human Events* on its 25th Anniversary has become more important than ever before in providing its readers with comprehensive coverage on vital events that so often develop into important national and international issues. I find it a valuable aid to judgment because it supplies information not always available elsewhere."

Rep. Albert Watson (*R.-S.C.*)—"In an age in which many of our traditional values and institutions have been toppled by the various coalitions of the Left, *Human Events* continues to stand guard over the principles which have made America great. This remarkable publication has championed constitutional government, patriotism, devotion to duty, frugality in government, and the other virtues of the American spirit. I am convinced that if *Human Events* reached every home in America, the influence of the so-called 'Liberal Establishment' would be substantially diminished and the voices of reason would be heeded by those in authority throughout our land."

John Wayne, *Actor*—"I find *Human Events* to be a publication that prints the facts concerning current issues and commonsense opinions to be gleaned from these facts. May they have another 25 years! That'll take care of me, at least."

Hon. Charles E. Whittaker, *former Associate Justice, United States Supreme Court*—"I have found *Human Events* to be very responsible, and I believe that, over the years, it has been of great value to the conservative community."

Alice Widener, *Editor, U.S.A. Magazine, Columnist*—"During the 25 years that *Human Events* has grown from a little to a big publication, the quality of its contribution to freedom and to sound, conservative thinking has been enormous. In a quarter-century of managed news in Washington, D.C., *Human Events* has remained unmanaged; that is, an independent voice, not a puppet with strings attached. In my judgment *Human Events* has played a unique role in maintaining a free press in our beloved nation."

Ernest L. Wilkinson, *President, Brigham Young University*—"Congratulations on the 25th Anniversary of *Human Events*. This spans a period of time when the trend of government has been in many ways at variance with the principles of our Founding Fathers and the principles of liberty. Never, therefore, was there a time when *Human Events* was as necessary as during this period. In such periods of change there is a tendency for all of us to lose our moorings, but *Human Events* has helped me, as I am sure it has helped thousands, to keep my feet on the ground and not lose sight of the concepts which have made our country great."

Rep. Bob Wilson (*R.-Calif.*) *Chairman, Republican Congressional Committee*—"Congratulations! Throughout the course of political events over the past quarter-century, a time of vast change in America, *Human Events* has stood as a steadfast reminder of our constitutional form of government. As the Declaration of Independence from which its name is taken gave notice that the American Colonies would 'declare their cause,' *Human Events* has never failed to take positions on the various political issues which have transpired since it began publication. After 25 years *Human Events* continues as the voice of conservative policies. Thorough reporting, astute editing and unchanging principle have gained it recognition in the publishing field. I add my congratulations to

those of my colleagues in Congress and the many Americans who are among its readers."

Gen. Robert E. Wood, *former Chairman, Sears Roebuck Co.*—"I have been a reader of *Human Events* from the time it was first published and have a very high regard for it. I think its views are useful and beneficial to the nation and are of value to the conservative community."

Lloyd Wright, *Attorney, former President, American Bar Association*—"Human Events is an indispensable instrument for alerting the people of America to what really goes on in Washington. I congratulate the people of America on the 25th Anniversary of your splendid newspaper. I find it gives me information that I cannot get out of the press which is essential to an understanding of the things that really take place in our capital. As a citizen, devoted to my country. I am most appreciative of what you have done throughout your 25 years. Congratulations."

#### THOMAS HART BENTON, OF MISSOURI

Mr. EAGLETON. Mr. President, today in Kansas City, Mo., one of America's most distinguished living artists celebrates his 80th birthday. Thomas Hart Benton bears the name of his great granduncle, who, as U.S. Senator from Missouri from 1821 to 1851, made much of the legislative history of his time. At the turn of the century, Thomas Hart Benton's father, Col. M. E. Benton, served as a Representative from Missouri in the 55th, 56th, 57th, and 58th Congresses. It was while his father was serving in Congress that young Thomas Hart Benton received his first instruction in art in Saturday morning classes at the Corcoran Gallery in Washington, D.C.

So it is fitting, I believe, that we in the Senate acknowledge and salute the 80th birthday of this son of a Representative and great grandnephew of a great Senator who has made the Benton name even more distinguished in his chosen field of art.

But let me not leave the impression that this 80th birthday is more than just another milestone in the remarkable career of Thomas Hart Benton, for here we have a man who is hard at work every day in his studio, continuing to create some of the great art of our time. I invite Senators who may not be familiar with the work of Thomas Hart Benton to view his oil painting, "Country Politics," which he has generously lent me for display in my office.

I also wish to call attention to the fact that the Library of Congress begins today, in the Great Hall of the main building, a panel exhibit of lithographs and books illustrated by Thomas Hart Benton.

Last night in New York City the Associated American Artists Gallery opened an exhibit of all of the lithographs of Benton. Today the New Britain Museum of American Art in New Britain, Conn., opens an exhibit of the lithographs and some oils and murals of Thomas Hart Benton. Also, today, in Fort Worth, Tex., the Amon Carter Museum of Western Art opens an exhibit of the lithographs of Thomas Hart Benton.

Today the University of Texas Press is publishing a fine book entitled "The Lithographs of Thomas Hart Benton,"



written by Creekmore Fath, which brings together for the first time all of the graphic work of Benton.

Many Senators have visited the Truman Library in Independence, Mo., and have seen Benton's great mural in the entrance hall, and those who know Benton's historic murals in the State capitol building, Jefferson City, Mo., realize that these are only a part of the magnificent legacy of art which Thomas Hart Benton has created. In his drawings, lithographs, watercolors, oil paintings, and murals, Thomas Hart Benton has given us the greatest panorama of American life of any contemporary artist.

In his autobiography, entitled "An Artist in America," Benton has shown that he is a great writer as well as a great artist. I can assure Senators that he is a great talker and conversationalist. What Thomas Hart Benton is, I suppose, is the truly modern equivalent of the Renaissance man.

I shall close these remarks with a biographical summary of the life of Thomas Hart Benton to date.

Thomas Hart Benton. Born April 15, 1889, Neosho, Newton County, Mo.; son of "Colonel" Maecenas Eason Benton and Elizabeth Wise Benton. In 1897-99 Thomas Hart Benton attended grade schools in Washington, D.C., and was first introduced to formal art in the Library of Congress and in classes at the Corcoran Gallery. In 1906-07 he attended Western Military Academy at Alton, Ill., until he began the serious study of art at the Chicago Art Institute. In 1908-11 Benton went to France and enrolled at the Académie Julien in Paris. In 1912 he returned to America and settled in New York. In 1916 he had his first public exhibition with a series of paintings in the Forum Exhibition of Modern American Painting held at the Anderson Galleries in New York. In 1918 he enlisted in the U.S. Navy. In 1919 upon discharge from the Navy he returned to New York and had an exhibition of drawings and watercolors which were based on his Navy activities. In 1922 Benton participated in the Philadelphia Exhibition of Modern Americans and sold a large work to the famous Philadelphia collector, Albert C. Barnes. In 1922 Benton married Rita Piacenza. It was in the mid-1920's that Benton began a series of paintings on American historical themes. These were mural-sized works. They were controversial because, with their sculptural and three-dimensional character, they were in opposition to prevalent beliefs of architects and critics that mural paintings should not break wall surfaces but remain flat and linear. It was also during this period that Benton began exploring the "back-country" of America by foot, bus, and train. In the past 45 years Benton has traveled more widely in America than any other artist, indeed he has probably seen and drawn more of the indigenous life of America, than any other American artist ever has. In the late 1920's Benton lectured on art at Dartmouth College and at Bryn Mawr College, and debated with Frank Lloyd Wright on architecture and mural painting at Brown University, Providence, R.I.

Benton's first child, Thomas P. Benton,

was born in New York City in 1926. And at about the same time Benton purchased his permanent summer home on the island of Martha's Vineyard, Mass.

In 1928-29 Benton joined with Jose Clemente Orozco in exhibitions at the Delphic Studios in New York City, and received a commission with Orozco to do murals for the New School for Social Research.

In 1932 Benton received a commission to do murals for the library of the Whitney Museum of American Art. In 1933 Benton was awarded the gold medal of the Architectural League for his mural work. It was also in 1933 that Benton received the commission and executed a mural for the State of Indiana. Covering the theme of social evolution of Indiana, this mural was shown as Indiana's exhibit at the 1933 Chicago World's Fair and is now installed in the University of Indiana auditorium at Bloomington.

In the spring of 1934 Time magazine carried a feature article on the regionalist school of American art and presented its first color cover which was a self portrait by Thomas Hart Benton.

In 1935 Benton received the commission for the murals in the Missouri State Capitol along with a request to head the painting department at Kansas City Art Institute. So this year Thomas Hart Benton moved to Kansas City, Mo.

In 1937 Benton wrote "An Artist in America." A new edition of this book was published last year by the Missouri University Press. In 1939 Benton's second child, a daughter, Jessie P. Benton was born.

In the early 1940's Benton produced drawings portraying the characters of John Steinbeck's "The Grapes of Wrath" for 20th Century Fox Film Corp. Benton also illustrated "The Adventures of Tom Sawyer," "The Grapes of Wrath," "Huckleberry Finn," and "Green Grow the Lilacs" for the Limited Editions Club.

Also, in the early 1940's Benton made an album for Decca Records, the music based on American folk songs, which was called "Saturday Night at Tom Benton's."

After Pearl Harbor Benton commenced a series of war paintings designed to help awaken the American public to dangers of the moment. Reproductions of this series of paintings ran to some 18 million copies. The exhibition of the original paintings at the Associated American Artists Gallery in New York City attracted over 75,000 visitors.

In 1945 Benton was made an honorary member of the Argentine Academia Nacional de Bellas Artes. In 1948 Benton received an honorary degree of doctor of arts from Missouri University and was made an honorary Phi Beta Kappa. In 1949 Benton returned to Europe and in Italy was made an honorary member of L'Accademia Fiorentina delle Arti del Disegno at Florence, and of the Accademia Senese degli Intronati at Siena.

In the 1950's Benton painted the Lincoln mural for Lincoln University, at Jefferson City, Mo.; the "Old Kansas City" mural for the Kansas City River Club; the "Discovery of the St. Lawrence River" mural for the New York State

Power Authority Administration Building at Massena, N.Y. He also received an honorary degree of doctor of letters from Lincoln University, Jefferson City, Mo. In 1958 he began the work on his mural "Independence and the Opening of the West" for the Truman Library. This mural was finished in the spring of 1961.

In April of 1960 the American Institute of Architects conferred their fine arts medal on Thomas Hart Benton. In May 1962, Benton was elected to the American Academy of Arts and Letters.

In his 75th year, Benton went on an expedition into the Canadian Rockies. He rode horseback from Banff to Assiniboine. The following year, 1965, he went to Italy to try his hand at bronze sculpture. He went on a long exploratory expedition up the Missouri River from Omaha, Nebr., to Three Forks, Mont., and from there into the "Rendezvous" area of the Wind River Mountains, in Wyoming.

At all times Benton has been busy drawing and painting. This thumbnail sketch of some of the highlights of the life of Thomas Hart Benton simply illustrates some of his accomplishments. His life has been a full one and as he continues on his way of work and constant creation it is a great pleasure for me to bring this anniversary to the attention of the Senate.

#### EXTENSION OF ROYALTIES TO RECORDING ARTISTS AND RECORDING COMPANIES

Mr. BAKER. Mr. President, on Tuesday, April 8, 1969, the Nashville Tennessean published an editorial in support of the amendment to the proposed copyright revision bill introduced by the distinguished junior Senator from New Jersey (Mr. WILLIAMS).

While I am not at present a cosponsor of this measure, I have previously voiced my strong support for the principle of extending royalties to recording artists and recording companies.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### JUST AMENDMENT FOR MUSIC CITY

Sen. Harrison Williams, D-N.J., has proposed an amendment to the general copyright revision bill pending in the Senate which would guarantee royalties for artists, musicians and record producers when their records are played on radio, television and juke boxes.

The amendment is of special interest in Nashville, where artists and record companies are losing large sums of money every year because these royalties have never been included in the copyright laws.

When their records are sold to the public, artists and record companies share in the proceeds, just as composers and publishers do. But under present law, when their records are played on radio, television and juke boxes for public listening, the composers and publishers get a royalty which is not shared by the artists and record companies.

Under Senator Williams' amendment, artists and record companies would get the same royalty received by composers and publishers for radio and television airings of their work. A juke box fee would be established and the artists and record companies would get 25%

of the receipts, with the composers and publishers getting 75%.

The right to this compensation has long been sought by Music City performers and others across the country. Senator Williams' amendment presents a just request. It should be adopted.

#### PRESENT CONDITIONS IN DOMINICAN REPUBLIC

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "Occupation Increased Dominican Dependence," published in the Washington Post of March 30, 1969.

This is a very interesting analysis of the present situation in the Dominican Republic.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### OCCUPATION INCREASED DOMINICAN DEPENDENCE

(By Lewis H. Diuguid)

SANTO DOMINGO, March 29.—After U.S. Marines broke up the Dominican civil war, and worldwide criticism was at a peak, President Johnson passed the word that the intervention must be a success.

An army of technicians soon replaced the Marines and aid money flowed in at unprecedented rates.

Four years later, this is still a divided nation. Now it is also obsessively dependent. Democracy is only a catchword in the remarkably cynical Dominican game of politics.

The causes of this situation are found more in the country's troubled history than in recent events, but U.S. intervention was a big part of that history long before the Marines landed April 28, 1965.

Interviews with Dominican scholars, politicians and technicians, as well as their U.S. counterparts at nearly every level, belie the general assumption heard in Washington—that, as one State Department official put it, "Despite the criticism at the time, the intervention has turned out for the best."

Economically, there is some improvement and prospects for more. But politically, the always tenuous sense of national purpose has weakened. By most accounts, the probability of the civil war resuming is great. The main deterrents so far are division within the army and the belief that the U.S. Marines would surely land again.

U.S. officials challenge that latter assumption, but few Dominicans do. Many Dominicans continue to believe that all important decisions are American-made.

When a minor politician decided recently to run for the presidency next year, he made his declaration and in the next breath announced that he was departing for Washington. In virtually any other Latin American country, that sequence would have meant political suicide. Here it is considered good politics.

This attitude is reflected in the inability of AID to find Dominicans willing to undertake development projects. The attitude seems to be, "Let the Americans do it." Often they do, thus increasing the dependency. Businessmen admit that when they conceive an investment, their first thought is the need for a foreign loan.

Nationalism seldom appears, although it is growing in a negative form among the youth. They show some anti-American frustration, but surprisingly little given the virtual occupation four years ago. Perhaps more damning than a jeer is the reaction when many Santo Domingo youths see an American tourist on the street: they salute.

The scarcity of national culture, and the administrative weakness of the highly centralized and statist government make this a nation only in the broadest sense.

This is attributable mainly to the 30-year Trujillo dictatorship. Before he came to power in 1930, the republic was a set of barely connected sugar communities. The U.S. Marines ran things from 1916 to 1924, and when Rafael Trujillo took over he unified the land by centralizing all power and most property in himself.

Potential leaders learned during those years to keep their heads down. To a large extent they still do. After Trujillo's assassination in 1961, the United States intervened to prevent his family from retaining power.

The demoralization that Trujillo imposed is well-characterized by one of his latter-day public works projects. He built a massive artillery emplacement atop a mountain overlooking Puerto Plata, a city known to house some resistance to Trujillo. To this day the citizenry there debates whether the guns were fixed to defend the city or to destroy it.

A succession of provisional regimes followed the dictator, punctuated by two coups and two elections. The accompanying politics were dominated by a few familiar personages, many of whom moved left and right along the ideological spectrum when opportunity called.

The second post-Trujillo election, in 1966, was the culmination of the U.S. occupation that suspended the civil war. Joaquin Balaguer, who had served under Trujillo and who succeeded him, was elected.

Balaguer has maintained quiet while working long hours at administrative decisions. Whether he purposely surrounded himself with weak administrators, or whether no other sort was available, the result has been to defer all initiative to Balaguer.

His efforts to revive the all-important sugar industry are praised even by his political enemies, but Balaguer is widely criticized for using his power to enhance himself politically. In 1961, Balaguer was saying that he wanted to retire from politics and devote himself to literature.

Balaguer has used government income to build scenic city overlooks, mercury-lit boulevards and apartment projects rising at the entrance to the capital.

Balaguer supporters say visible projects are a political necessity here, and AID loans to improve education or agricultural output are not very photogenic. Local funds for such efforts are not often forthcoming, while Dominican revenues go to build an extra bridge or a money-losing hotel in a critical voting area.

Lately, opposition parties have been joined by the normally reticent Catholic Church hierarchy in more basic charges against the government, that the police and army exercise arbitrary authority over the countryside with impunity and that the concentration of land in the hands of the government and large holders is crushing the peasantry.

Francisco Pena Gomez, secretary general of Juan Bosch's important Dominican Revolutionary Party, charges that Trujillo-style terrorism has revived and that the government has failed to prosecute the perpetrators.

Some of the current unrest is based on an enigmatic statement by Balaguer suggesting he might take his constitutional option to run again.

Questioned about this, most Dominicans recalled the events that brought in Trujillo—a president propped up by the Americans so that they could leave in 1924 defied broad public distaste for reelection and engineered a victory. Soon thereafter a coup brought in the dictator.

Many Dominicans say that if Balaguer is re-elected—as incumbents usually manage to be—he will not last a year. But they also add that Balaguer is no Trujillo.

The future may be decided by the effect of all this on the 2.5 million Dominicans, out of the total 4 million, who are under 25. But when the youth looks to its elders for political traditions, it sees the electorate polarized by the '65 civil war. Many, including moderate politicians opposed to violence, are convinced that the two sides are waiting to resume conflict, and that the U.S. intervention merely postponed it.

Despite the postwar attempt to collect arms, civilians are said to be heavily armed and the incidence of violent crime tends to support this.

The American influence, real and imagined, is pervasive and is a contributing factor to politics so chaotic that if true stability is achieved it will be a surprise to both Dominicans and the representatives of their big brother.

Most Dominicans say that in polarizing the politics the intervention created more Communists than existed before. It also provided a graphic lesson in the politics of power.

#### A POSITIVE PLAN OF ACTION

Mr. HANSEN. Mr. President, Congress has been presented with an excellent and positive plan of action by the President. I applaud his activities of the past 12 weeks and look forward to working with him in the months and years ahead.

All of us can fully subscribe to his interest in the pursuit of peace abroad and to the development of new structures and new programs for the pursuit of progress at home.

The message that President Nixon has presented to us provides for a blueprint to progress; it is both reasonable and far reaching. It is responsible and responsive.

As to his recommendations, soon to be offered on a number of fronts, I have long contended, and have so stated on a number of occasions, that we do not need a whole new series of laws to combat crime; rather we should see to it that the Department of Justice and all branches of law enforcement are determined to prosecute violations of the law.

Another important area is the program of tax credits to be recommended by the President. The enlistment of additional private resources, in order to meet our urgent social needs, is a significant step in the right direction. We must provide better alternatives than have been available so far. We can encourage industry to train more people so that jobs will be available and waiting for them.

The Nixon administration's plan to reform our postal service, with a comprehensive reorganization of the Post Office Department, will benefit all. My bill on Postal Corporation is a starting point, and I know that Postmaster General Blount and his staff are studying it and other plans.

All in all, it is obvious that President Nixon has placed statesmanship above politics. It is a refreshing approach. It will, indeed provide for an abiding satisfaction of achievement, and I pledge my best efforts to those worthwhile ends.

MISS CAROL MUELLER, EL PASO, TEX., REPRESENTATIVE OF TEXAS TO INTERNATIONAL FARM YOUTH EXCHANGE

Mr. TOWER. Mr. President, I am pleased to welcome to Washington today



Miss Carol Mueller, of El Paso, Tex., who has recently been chosen to represent the State of Texas in Norway as the International Farm Youth Exchange. Carol will spend 6 months in Norway living with rural families and learning of their practices and way of life. On her return to the United States, she will give lectures around the Nation on her experience during her travels and help better to acquaint the people of America with the people of Norway.

Miss Mueller has long been active in the promotion of the 4-H Clubs of the United States and has an outstanding record with that organization dating back to 1964 when she showed and won her division at a livestock exposition in the sheep category. Carol will make a fine rural ambassador to Norway; this is an honor of which she is much deserving—the State of Texas is proud of her.

#### ELECTRIC POWER AND THE DEPARTMENT OF THE INTERIOR

Mr. STEVENS. Mr. President, on March 19, Secretary of the Interior Hickel delivered an address before the National Rural Electric Cooperative Association. The address concerned the future development of the power resources of the Nation.

I commend Secretary Hickel's remarks to the attention of Senators as worthy of their serious consideration as we enter an era of balancing the competing demands on the Nation's resources, and ask unanimous consent that they be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF SECRETARY OF THE INTERIOR WALTER J. HICKEL BEFORE THE NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION, ATLANTIC CITY, N.J., MARCH 19, 1969

I am glad to have this opportunity to explain my views of the role of the Department of the Interior as they relate to electric power.

You know, when I served as Governor of Alaska, I learned that the 49th state has the highest power costs in the nation.

The average price for 500 kilowatt hours per month in Alaska is \$14.67. The national average is \$10.37 for the same amount of electricity.

I also know the value of public power because—in Alaska—most of the power is public power.

When I became Secretary of the Interior, I found that I had also become chairman of the board of a very big electric utility. The Department of the Interior gets its power from a generating system of almost 17.2 million kilowatts.

It markets 85.7 billion kilowatt hours annually. And, it collects about \$296.6 million per year.

That's pretty big. But, I also found out that TVA is number one.

That makes us number two, so we're just going to have to try harder to assure every American family has an ample supply of power—whether public or private—at the lowest cost, consistent with reliable service and an adequate rate of return on investment.

Americans deserve no less.

This goal isn't going to be easy. It will take a lot of cooperation—cooperation between privately-owned utilities, public power groups like yours, and the Federal Government.

It is going to have to be a three-way partnership, with no one dominating the other.

None of us will get everything we want. But, we will get a lot more than we would if we fought each other.

Public power—particularly the rural co-ops—have done a lot of good in this nation. I know from experience.

You brought electricity into the Kansas countryside where I was born and raised. You have lifted the burden of many hours of hard work from the backs of many farm families.

Private power, too, has done an excellent job in the more concentrated areas of America. It has provided the backbone of our industrial society. And, in the cities, more people are using more electricity than ever before.

But while we pat ourselves on the back, we must also keep our eyes focused on the road ahead.

With less than seven percent of the world's population, this country leads all others in generating electricity.

Our 1966 production represented 36 percent of the world's total. Expressed another way, this is two and one-half times the amount produced in Russia—the second ranking nation.

In 1967, 20 million new kilowatts of generating capacity were added to our electric system—the largest annual increase in history.

Starting in 1968, the addition of 154 million kilowatts is scheduled over the next few years. This will make our electric capacity 30 percent greater than in 1967. And, this increase alone is greater than our total capacity in 1968.

By 1980, this nation's power producing capacity may be well over three times that of 1960 and twice that expected by 1970.

This means all of us are going to have to try harder whether we're one, two, or last.

When we talk about the future development of the power resources of the nation, the federal government doesn't have to do the whole job. In many areas, the private sector and groups such as yours should rightly carry the load.

The federal government should set the tone in the things that it does. We should set an example and be a prime mover in encouraging others to follow.

Our responsibility in Interior should be one of balancing the competing demands on the nation's resources. It is also one of assuring that the wise use—and wise conservation—of our natural resources be shared by all.

Our engineers inform me that we are on the threshold of a new era of low-cost power in many parts of the nation. Exciting new developments in technology point the way. Larger and larger machines are being built that produce more power at lower cost.

Extra-high-voltage transmission lines move greater amounts of power over longer distances.

These trends have made it practical to connect power systems into power pools covering broad areas. In time our nation may be covered with a single network of electric systems.

The Department of the Interior can continue to interconnect its facilities with both private and public groups—wherever it makes sense to do so. We can continue to interconnect our own systems, as an example to others. We can work to assure that these interconnections are safe and free from blackouts.

Furthermore, we can work to assure that the benefits of our interconnections are shared by all.

This is one example of how the Government can set the tone.

Another is in the field of research.

My Department has 27,600 miles of transmission lines.

We are building the world's longest—and largest—extra-high-voltage direct current transmission lines. This is being done cooperatively with private utilities and non-Federal public groups. We also operate nearly 2,200 miles on conventional extra-high-voltage transmission lines.

If the full value of the economies of the large generating units are to be attained, we must continue to improve the nation's transmission system.

This will take research. And, we are moving. The Department is a member of the Electric Research Council, a group composed of private utilities, public utilities, and the federal government. This group sponsors and coordinates research to advance the technology of the utility industry.

The Council has started a \$4 million, five-year research program. Its objectives are to reduce the cost and increase the reliability of transmission lines at all voltages.

Another is to provide engineering and design guidelines for ultra-high-voltage transmission. These will be the giant lines of the future.

In a related action, the Department is planning to install 600,000 kilowatt generators at Grand Coulee Dam. These will be world's largest hydro-generators, and Grand Coulee will be the world's largest power plant.

Work is also continuing to the Department's Transmission Study 190. This project is concerned with the broad engineering aspects which should be considered in western power system planning. It proposes a number of alternate plans for a large power transmission system for the entire Western United States.

The study is now being reviewed by the Western States Coordinating Council, a group of western utilities, public and private. It should stimulate all segments of the industry to proceed with far more effective planning and interconnections.

Last December, while Governor of Alaska, I supported the Alaska Power Administration in its efforts to have our country work out an electric study agreement with Canada. Both governments will cooperate in assessing the power marketing possibilities which could justify the power development potential of the Upper Yukon watershed.

The study envisions alternate water diversion possibilities to supply power developments in either British Columbia or Alaska. In assessing the market for the Yukon Taiya project, my engineers say in the early stages we must consider the possibilities of marketing a substantial amount of power in British Columbia or the Pacific Northwest.

This would enable us to have a very-high-voltage transmission grid between Alaska and the Pacific Northwest which would envision power flows from Anchorage to Los Angeles.

The Department is also interested in underground transmission. As our cities grow closer and closer together, there is not going to be land available for an ever-increasing number of power lines. But, the lines will be needed. As a result, one answer may be the undergrounding of all power lines in highly populated areas. However, we won't know whether costs can be sufficiently reduced until we do some research.

Speaking of research generally, the Government—because it is in the utility business—must do its fair share of new research. We haven't done this in the past. I hope that we will be able to do it in the future—especially in the fields where we possess expertise.

As some of you are producers of power and all of us are concerned with our natural resources, I know you are interested in thermal pollution.

We must think carefully about new guidelines governing the discharge of hot water from electric generating plants. It is easy to

be against this. It's harder to do something constructive.

Obviously, where discharges cause thermal pollution and violate water quality standards of the states, they cannot be permitted. But we are not going to be negative. The ultimate answer, I believe, is the constructive use of the waste heat of the water wherever possible. We should seek such uses. They may not be applicable in every instance. But, where they are, they should be used.

Experiments along these lines are now in progress. Can this water be used in irrigation, thus speeding up the growing season? Can this water make certain fisheries more productive? The answers aren't in yet, but I hope the results will be constructive.

Also, there is no reason why this waste heat cannot be used to convert saline water into fresh water in some areas. It is even possible to use this heat to clean up other polluted waters before they are discharged into streams.

We know that cooling towers and ponds work. They should be used where no other solution is available. But, we must stretch our imagination to devise other, more productive methods of heat control.

I started this speech stressing the need for cooperation. I am going to end it on the same note.

Among its customers, the Department of the Interior serves over 450 rural electric cooperatives. So in one sense today, the head of that number two utility is talking to a large group of his customers.

Turning to the future, I make you certain pledges:

... The power marketing agencies of the Department, plus the Bureau of Reclamation, will serve you to the best of their ability. Interior has a complaint department. It's me. And, if you get poor service, I want to know about it.

... I am a firm believer in the sound development of the water resources of this nation, consistent with good conservation values. I will support sound, multi-purpose projects—including hydroelectric power when it is a legitimate project purpose.

... The Congress has legislated that non-profit, public groups get preference in the sale of power from federal projects. That is the law, and I will support the law.

A former Secretary of the Interior, the honorable Fred A. Seaton, once said:

"Conservation is a magic word of many meanings, but the common denominator of most definitions is the concept that sound conservation demands wise and prudent use—without either waste or abuse—of our natural resources."

I agree with that definition. Through its support of many conservation measures over the years, it is a definition which the National Association of Rural Electric Cooperatives practices.

I hope that today has been the first of many meetings with you. And, as other Secretaries of the Interior have, I shall probably seek your support on a number of the conservation issues of today and tomorrow.

I am confident I will receive that support.

#### STATEMENT OF ASSETS, LIABILITIES, AND INCOME OF SENATOR AND MRS. CASE AT THE END OF 1968

Mr. CASE. Mr. President, I ask unanimous consent to have printed in the RECORD a combined statement of the assets and liabilities of Mrs. Case and myself at the end of 1968, and of our income for that year.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

#### Combined financial statement of Senator and Mrs. Case

ASSETS	
Cash in checking and savings accounts (after provision for Federal income tax for 1968), approximately	\$25,000
Life insurance policies with the following insurers (currently providing for death benefits totaling \$138,500): U.S. group life insurance, Aetna Life Insurance Co., Connecticut General Life Insurance Co., Connecticut Mutual Life Insurance Co., Continental Assurance Co., Equitable Life Assurance Society, Provident Mutual Life Insurance Co. of Philadelphia, Travelers Insurance Co.—cash surrender value	43,922
Retirement contract with Federal employees retirement system (providing for single life annuity effective Jan. 3, 1973 of \$26,304 per annum). Senator Case's own contributions to the fund total, without interest	31,241
Annuity contracts with Teachers Insurance and Annuity Association and college retirement equities fund. As at Jan. 31, 1967, these contracts (estimated to provide an annuity beginning at age 65 of \$1,127) had an accumulation value of	12,209
Securities as listed in schedule A—Real estate: consisting of residence building lot on Elm Avenue, Rahway, N.J., and house in Washington, D.C. (original cost plus capital expenditures, \$71,745, less mortgage on Washington property, \$5,836)	65,909
Tangible personal property at Rahway apartment and Washington house, estimated	10,000
Undistributed share in estate of Senator Case's mother—estimated value	70,000
Contingent interest in a small trust fund of which Chase Manhattan Bank of New York is trustee. Income from from this was zero in 1968.	

#### LIABILITIES

None except mortgage above listed.

#### INCOME IN 1968

Senate salary and allowances, \$31,772, less estimated expenses allowable as income tax deductions of \$7,538 (actual expenses considerably exceed this figure)	24,234
Dividends and interest on above securities and accounts	13,815
Lectures and speaking engagements: Washington Journalism Center, Brimberg & Co., Stanford University, Princeton University, the Brookings Institution	2,750
Net gains on sales of property	3,796
CLIFFORD P. CASE.	

APRIL 14, 1969.

#### SCHEDULE A—SECURITIES

Bonds and debentures of the following, at cost (aggregate market value somewhat lower, \$52,735):

	Principal amount
U.S. Treasury	\$2,500
American Telephone & Telegraph Co.	11,000
Cincinnati Gas & Electric Co.	4,000
Consolidated Edison Co. of New York	5,000
Consumers Power Co.	5,000
General Motors Acceptance Corp.	5,000
Iowa Electric & Power Co.	5,000

	Principal amount
Mountain States Telephone & Telegraph Co.	\$5,000
South Western Bell Telephone Co.	5,000
Toledo Electric Co.	5,000
Stocks (common, unless otherwise noted) at market	\$25,156
	No. of shares
American Electric Power Co.	919
American Natural Gas Co.	548
American Telephone & Telegraph Co.	200
Cities Service Co.	104
Consolidated Edison Co. of New York	400
Consolidated Edison Co. of New York (\$5 preferred)	50
Detroit Edison Co.	100
General Electric Co.	100
General Motors Corp.	150
Household Finance Corp. (\$4.40 cumulative convertible preferred)	100
International Business Machines Corp.	128
Investors Mutual, Inc.	2,520.19
Kenilworth State Bank	21
Madison Gas & Electric Co.	275
Marine Midland Corp.	563
Merck & Co., Inc.	200
Tri-Continental Corp.	1,286
Union County (N.J.) Trust Co.	801
Warner-Lambert Pharmaceutical Co.	200

#### PROPOSED MERGER OF YOUNGSTOWN SHEET & TUBE CORP., AND LYKES CORP.

Mr. SAXBE. Mr. President, for some period of time I have been concerned with a growing phenomenon in our country which can best be described as the rise of the so-called corporate conglomerate. I have recently been advised of another example of this startling trend in the State of Ohio. That example is the proposed merger of the Lykes Corp., hereinafter referred to as Lykes, and the Youngstown Sheet & Tube Co., hereinafter referred to as Youngstown. Under the proposed merger of Lykes and Youngstown, a new corporation was organized on February 20, 1969, under the name of Lykes-Youngstown Corp. The proposal has already been agreed upon in principle by the board of directors and this proposal needs only shareholder approval at this particular point in time.

The proposal is as follows: The Youngstown Sheet & Tube Co. will organize a new subsidiary and transfer all its assets to this wholly owned subsidiary, which will then assume Youngstown's liabilities. The Lykes Corp. presently is a holding company owning as wholly owned subsidiaries Lykes Brothers Steamship Co. and Lykes Financial Corp. Lykes-Youngstown Corp. will then be a holding company holding Youngstown Sheet & Tube Co. and Lykes Brothers Steamship and Lykes Financial Corp.

It is my understanding that both of the merging corporations will have equal representation on the board of directors of the Lykes-Youngstown Co. However, what strikes me as strange is the relative size of the two corporations prior to the merger. Lykes, for the fiscal year ended December 31, 1968, had total revenues of



approximately \$132,032,000. Youngstown Sheet & Tube Co. had 1968 revenues of approximately \$793,190,000. It therefore appears that this is another example of the proverbial minnow swallowing the whale. What also disturbs me is the exchange of 24 percent of Youngstown common stock for "subordinated debentures" of Lykes-Youngstown Corp., and the subsequent dilution in the equity position of Youngstown's present shareholders. There are further adverse sociological effects in a merger such as the one involving Youngstown Sheet & Tube Co. Local control is superseded by outside interests whose concern is primarily with profit and loss statements. Further these outside interests have little time or inclination to involve themselves with the myriad of problems which face our communities across the Nation.

A recent study by the staff of the Cabinet Committee on Price Stability shows that 78 manufacturing corporations with assets of \$1 billion or more held 43 percent of the Nation's total manufacturing assets. The study further points out that 451 corporations with assets in excess of \$100 million but less than \$1 billion own an additional 30 percent of the Nation's manufacturing assets. Another group of 791 medium sized corporations with assets of \$25 million to \$100 million owned another 9 percent of the Nation's total manufacturing assets. The remaining 18 percent of the assets were held by approximately 185,000 corporations. This study by the Cabinet Committee on Price Stability shows that 185,869 corporations owned virtually all of the manufacturing assets of this country. More significant is the fact that a relatively small number of corporations, 1,320 to be exact, own approximately 82 percent of the manufacturing assets of this country. Most studies plotting the number of mergers and acquisitions show a rapid rise in this phenomena since the year of 1965 when there were approximately 1,700 mergers. In 1966 there were approximately 2,000 mergers, and in 1967 roughly 2,915 merger announcements. In 1968, studies show that there were approximately 4,462 merger announcements. When studies showing the number of merger and acquisitions are viewed in context with the number of corporations holding the manufacturing assets of this country, the conclusion is inescapable that this Nation is heading toward a situation where a relatively small number of corporations will hold the bulk of the manufacturing assets. In fact, were it not for the present antitrust legislation, in particular the Sherman Act, and the Clayton Act, we could reasonably expect that viewing the number of mergers as it relates to the number of corporations, we might end up with as few as 200 corporations. If one stretches the imagination somewhat, a veritable handful of corporations in this country could be envisioned as controlling all of the assets. One does not need a doctorate degree in economics or corporation finance to see that this would be, to say the least, an unhealthy situation.

Since this is the situation with which the Nation is faced, I for one welcome the administration's new antitrust policy. In

particular, I welcome the determination of the Nixon administration to attack the acquisition of the Jones & Laughlin Steel Corp. by the giant conglomerate, Ling-Temco-Vought. It would appear to me that section 7 of the Clayton Act—the Celler-Kefauver Amendment of 1950—is being abridged when leading corporations in one industry are acquired by conglomerates that specialize in many product lines. Clearly, the test of section 7 which asks if there is a substantial lessening of competition is met. I would now call upon Attorney General Mitchell and Assistant Attorney General MacLaren, chief of the Justice Department's Antitrust Division to give serious consideration to the study of possible action being taken under section 7 of the Clayton Act to prevent the impending merger between the Lykes Corp. and the Youngstown Sheet & Tube Corp. Surely this proposed merger is analogous to the Ling-Temco-Vought-J. & L. merger.

#### ENDANGERED SPECIES

Mr. MUNDT. Mr. President, for many years I have been interested in many programs designed to save various species of America's fish and wildlife. It is a pleasure to be able to report that a program at the Endangered Wildlife Research facility at the Patuxent refuge near Laurel, Md.—established as a result of my funding amendment several years ago—is moving forward. Scientists there, under the able direction of Dr. Ray Erickson, are learning many of the methods which not only should but will save some of our most endangered species from extinction.

Work is also moving forward at refuges and research stations in the various States. Recently the Sioux Falls, S. Dak., Argus-Leader published a most interesting article on the Giant Canada goose, written by Rod C. Drewien and Lyle J. Schoonover. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### GIANT CANADA GEESE ARE MAKING COMEBACK—BELIEVED TO BE EXTINCT

(By Rod C. Drewien and Lyle J. Schoonover<sup>1</sup>)

The giant Canada goose once nested in suitable habitat over large portions of the Northern Great Plains.

Early settlers gathered their eggs during the spring and hunted them throughout the year.

By the early 1900's they had nearly disappeared from their original range in South Dakota, and in the 1950's most authorities believed the giant Canada to be extinct.

In 1962 Dr. Harold C. Hanson, of the Illinois Natural History Survey, examined Canada geese wintering near Rochester, Minn. These geese were much larger than other

<sup>1</sup> Lyle J. Schoonover, refuge manager for the U.S. Bureau of Sport Fisheries & Wildlife at Sand Lake National Wildlife Refuge, has degrees from the University of Minnesota in wildlife management. He has been at Sand Lake 10 years.

Red Drewien, waterfowl biologist for the Department of Game, Fish and Parks, is a graduate of Humboldt State College, California, and has a degree from South Dakota State University. He has been with the department since 1966.

subspecies of Canadas he had examined and studied for many years in other portions of the United States and Canada.

The Rochester geese seemed to fit the early description of the giant Canada. Upon further investigation, he found a number of isolated giant Canada goose flocks, both captive and wild, existing from Michigan to Colorado and into the prairie provinces of Canada, including the geese that nest in the area around Waubay, S.D.

#### START PROGRAM

In 1962 a cooperative program was started between the South Dakota Department of Game, Fish and Parks and the Bureau of Sport Fisheries and Wildlife to restore free-flying giant Canada geese to portions of their original breeding range in South Dakota. This project was instituted by the late Ray Hart, department waterfowl biologist.

The restoration program consists of three phases, and includes maintaining a captive flock for production of young; a landowner-cooperator program whereby the department farms out breeding pairs to interested parties, and the release of free-flyers in suitable habitat.

The first phase involves maintaining a captive flock, presently consisting of about 90 pinioned breeding pairs, at the Sand Lake National Wildlife Refuge in Brown County. Rearing facilities at the refuge cover about 90 acres and include a brooder house, wintering pen, breeding pens for individual pairs, and a 30-acre impoundment, all enclosed within a woven wire fence.

#### CARE IS TAKEN

Care is taken in the selection of brood stock for the propagation program. Specimens must be attractive and have good characteristics to qualify. Some of the older ganders weigh over 17 pounds, while some larger females exceed 15 pounds.

Most pairs do not begin nesting until three years old. Egg laying begins about April 1. From three to eight eggs are laid with an average first clutch of 5.4 eggs. At Sand Lake, eggs from first clutches are gathered daily and replaced with a dummy egg. Upon completion of the first clutch, the dummy eggs are removed. This stimulates about 60 per cent of the pairs to start a second nest.

Eggs taken from first nests are artificially incubated, whereas pairs that renege are allowed to keep and incubate their second clutch. In this manner many more goslings are hatched than would normally be produced, since in the wild Canada geese will only hatch and raise one brood annually.

#### PAIRS FARMED OUT

The second phase of the restoration program consists of the department farming out pinioned breeding pairs to interested parties having suitable facilities and habitat on private lands.

Goslings produced from these projects are wing-clipped and retained for future release as free-flyers in surrounding habitat. Presently, there are five cooperators involved in the program and their flocks each vary from two to seven pinioned pairs, plus the young that are produced annually.

The largest cooperator flock is maintained by rancher William Schilder, Faulkton, and contains more than 100 geese. Other cooperators include the Belvidere Rod and Gun Club; George Hauk, Cottonwood; Ivan Pray, Hill City, and Levon Shearer, Wall.

#### CLOSED TO HUNTING

In 1967 all or portions of five counties in the southern part of the West River area, that include three of the cooperator flocks, were closed to goose hunting. In addition, the third phase of the restoration program involving the release of free-flyers was initiated with the release of 32 on the Carr ranch near Cedar Butte, Mellette County, which is within the closed area. About half were known to return to the vicinity of the release in the

spring of 1968, and two pairs nested on the stock dam which was used as the release site.

Also in 1967, 140 goslings raised from the captive flock at the Sand Lake Refuge were moved to the LaCreek National Wildlife Refuge in Bennett County. In 1968 an additional 275 goslings were transferred and plans call for moving 300 more to the LaCreek Refuge this year.

These goslings are wing-clipped and retained in large holding pens until they are two years old. At this time they will be released in suitable habitat within the area closed to goose hunting in West River.

The first large release involving about 140 geese will be made this spring. Some of these geese will be placed in the Cedar Butte area to supplement the original release. Other releases are scheduled for private ranches and lands administered by the U.S. Forest Service in the Buffalo Gap National Grasslands near Kodoka and Wall.

Stock dams selected for release sites are generally larger than 10 acres and have small islands, since geese show a preference for secure island nesting sites. On water areas lacking islands, artificial nesting structures can be erected. The U.S. Forest Service plans to put out artificial nesting structures on some of their stock dams located in the National Grasslands.

### WE MUST MAKE A CHOICE

Mr. HANSEN. Mr. President, on March 11, 1969, the Petroleum Situation, a publication of the Chase Manhattan Bank, contained an article entitled "We Must Make a Choice."

This illuminating article centers on the controversy created by the proposal to create a foreign trade zone at Machiasport, Me., as a means of bypassing the quotas set by the mandatory oil import control program.

Present prices for petroleum products in the New England area are compared with the present prices for the same products in other areas of the United States as well as the U.S. average price. The conclusion is reached that petroleum product prices in New England are currently in line with those elsewhere in the Nation.

The article continues with a thorough analysis of the need for the proposed refinery at Machiasport, the immediate and long-range effects which the proposal would have on New England petroleum prices, and the impact which the loopholes created by the foreign trade zone would have on the national security and the economic well-being of the United States.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### WE MUST MAKE A CHOICE

Probably more of the world's problems stem from the lack of effective communications than from any other cause. There is indeed much evidence of the difficulties that can arise from a breakdown of communications within the family, in business, in education, in religion, in government—and between nations.

In recent months, a highly unfortunate situation has developed—for the most part—because of both improper and insufficient communications. It is a development that has pitted one region of the United States against another. And from the earliest days of this nation the multiple and lasting dan-

gers of that sort of conflict have been apparent.

The problem had its beginning last year with a proposal to build an oil refinery in Maine. Sometimes the announcement of a new refinery is met with vigorous objections from the area in which it is to be located. Recently, the residents of a community in another New England state—Rhode Island—successfully resisted the construction of a refinery in their area. But, in the case of Maine, the proposed new plant was welcomed. It would provide certain economic advantages. There would be some opportunities for employment—but not many, because modern refineries are operated mainly with automatic controls. The plant would also constitute a new tax base, of course.

But the foremost reason for wanting a refinery in Maine, reportedly, was based on the belief that it would provide lower priced petroleum products. Somehow, there has de-

veloped a widespread impression that petroleum products cost much more in New England than elsewhere in the nation because the region does not have any refineries. If this were true, the consumers of New England, or any other region for that matter, would understandably have cause for complaint. But the impression is erroneous—it is based upon misinformation.

Actually, prices in New England do not differ significantly from those in most other sections of the nation. Reflecting variations in the basic elements of cost, consumer prices naturally are not precisely the same everywhere—but the differences are usually minor. Let's look at the facts. Here is a summary table that compares the price of gasoline in Boston—the leading New England market—with prices in three other major markets and also the average for all of the United States. In each case, basic elements of cost contributing to the consumer price are shown:

REGULAR GRADE GASOLINE PRICES IN 1968

[In cents per gallon]

	Boston	Philadelphia	Norfolk	Chicago	U.S. average
Crude oil cost.....	7.0	7.0	7.0	7.0	7.0
Refinery margin.....	3.6	3.6	3.6	3.6	3.6
Transportation and terminal costs.....	2.0	1.9	1.4	1.2	1.6
Jobber/dealer margin.....	10.2	9.1	10.9	12.8	10.7
State and Federal taxes.....	10.5	11.0	11.0	10.0	10.8
Consumer price.....	33.3	32.6	33.9	34.6	33.7

For all of the markets shown, the cost of crude oil is based upon the U.S. average price. And the refinery margin is based upon the average at the Gulf Coast—the scene of the nation's largest and most competitive refinery complex. Chicago, Philadelphia and Norfolk all have refineries nearby that serve part of the local market needs—but the refinery margin is essentially the same as at the Gulf Coast.

Clearly, the price of gasoline in Boston is not out of line—it is neither the highest nor the lowest, and is below the U.S. average. A comparison for other petroleum products will indicate a similar situation. Because of variations in local distribution costs, prices in other parts of New England range slightly above or below the Boston level.

Although petroleum product prices in New England are currently in line with those elsewhere in the nation, this has not always been the case. For several years within the past decade, New England prices were substantially lower than the average for the nation as a whole. A combination of factors—slower market growth, a general business recession in 1958, and oversupply—brought about depressed petroleum prices throughout the nation. But for various economic reasons, conditions were even more severe in New England. Price warfare persisted for several years until 1964, when improved economic conditions led to gradual price recovery. In 1963, the price of regular grade gasoline in Boston was 3.4 cents per gallon below the national average. But, by 1968 it had recovered to a level of only 0.4 cent under the nationwide average. Let's see what happened to the elements of cost between those years:

CONSUMER PRICE OF REGULAR GRADE GASOLINE IN BOSTON

[In cents per gallon]

	1963	1968	Change
Crude oil cost.....	6.9	7.0	+0.1
Refinery margin.....	3.8	3.6	-0.2
Transportation and terminal costs.....	1.8	2.0	+0.2
Jobber/dealer margin.....	5.0	10.2	+5.2
State and Federal taxes.....	9.5	10.5	+1.0
Consumer price.....	27.0	33.3	+6.3

Although most of the increase occurred at the jobber/dealer level, that element of cost in 1968 was nevertheless still below the average for the nation as a whole. The jobbers and dealers—small local businessmen—are badly squeezed in periods of depressed prices. And they, like all other businessmen, have encountered sharply rising costs in recent years. Included are the costs of government, which rose between 1963 and 1968 by more than one-third at the federal level and in New England by nearly 50 percent at state and local levels. Taxes are a cost of doing business that ultimately must be passed on to consumers—to think otherwise is illogical. Under the circumstances, the petroleum industry has performed a commendable feat indeed in holding prices down. In thirteen years—between 1955 and 1968—the average consumer price of gasoline in the nation, excluding taxes, rose by only 1.5 cents per gallon. Over the same period, state and federal excise taxes increased by more than twice as much—3.1 cents per gallon. But, relatively few consumers are aware of these facts—because of insufficient effective communications. And there is a tendency to blame the petroleum industry for all of the increase.

From the figures presented in the foregoing tables, it should be apparent that a new refinery located in New England would be able to provide lower priced petroleum products only if it could obtain crude oil at a lower cost. And it could do that only if it obtained the oil from a foreign source. Generally speaking, crude oil from some foreign sources can be delivered to East Coast ports for 2.5 to 3.0 cents per gallon less than oil of domestic origin. It is cheaper because it can be found and produced at a lower cost. Various economic factors are involved. Oil in the United States is found in smaller reservoirs and the cost of materiel and labor is higher. Transportation costs are higher too. Oil transported from the Gulf Coast to New England—or any other U.S. port—must, by law, be shipped only in tankers registered in the United States. And the labor costs on these ships are much higher than on vessels of foreign registry.

If crude oil from a foreign source is available at a lower cost, why shouldn't a refinery located in New England use it rather than domestic oil? For that matter, why shouldn't



refineries everywhere operate on foreign crude oil if the nation's consumers can thereby be provided with lower priced petroleum products? Why, indeed? There are reasons vital to the nation's welfare why they should not. Many good arguments can be presented for free trade between nations when the benefits derived outweigh any harmful effects. But the security of the United States is tied directly to the degree of its petroleum self-sufficiency.

It is absolutely essential to any developed nation that it have an adequate and continuous supply of primary energy. And in the United States as much as three-fourths of all the energy consumed is petroleum—oil and natural gas. It is used nearly everywhere in the home, in industry, in commerce, in agriculture, and by all the Armed Forces. For the nation's vast transportation system, oil is virtually the only form of energy used. Clearly, any prolonged shortage of oil would be devastating. And an adequate domestic supply is the only sure way of avoiding such a shortage.

Recognizing the dangers posed by rapidly rising imports of lower cost foreign crude oil, the President of the United States imposed mandatory controls in March 1959. In part, the Presidential proclamation reads as follows: "The new program is designed to insure a stable, healthy industry in the United States capable of exploring for and developing new hemisphere reserves to replace those being depleted. The basis of the new program, like that for the voluntary program, is the certified requirements of our national security which make it necessary that we preserve to the greatest extent possible a vigorous healthy petroleum industry in the United States."

To limit imports in a manner that would be entirely equitable is an impossibility. But the controls as originally established in 1959 were reasonably well conceived. They were, however, susceptible to manipulation for political reasons and were therefore difficult to administer. From the beginning there have been numerous efforts to alter or circumvent the regulations—and some have been successful. It is, of course, unrealistic to think that any change that gives an economic advantage to some individuals or companies or regions will go unchallenged. Others, understandably, will clamor for equal treatment for competitive reasons. And each change in the import regulations has to a degree undermined the original intent of the control. The extent of the erosion thus far has raised widespread concern over the future status of the control—and some doubt that it will survive.

Surely, if import controls were removed, the action would mark the beginning of the end for domestic producers. The price of domestic crude oil would doubtless fall by 35 to 40 percent. And this would remove much of the incentive to search for new reserves. Producers would continue to produce oil and natural gas from reserves already found, but they could not afford to use their capital to find more—it would instead be shifted into other fields of economic endeavor that provide a better rate of return. Within a few years the nation's dependence upon foreign oil would soar from 21 percent now to more than 50 percent. And, as a result, the nation would be placed in a highly vulnerable position. Based upon past experience, there is positively no reason for believing that petroleum imports would be continuously available—instead, there are obvious reasons for believing otherwise. And in the event of another international war, the position of the United States would be critical. A successful military effort would require fully adequate supplies of petroleum at all times. And, because the private economy is far more dependent upon petroleum now than during World War II, it would be

impossible to ration supplies to the degree they were during that conflict—to do so would lead to a breakdown of activities that necessarily must go on in support of the military effort.

Unlimited imports of foreign oil would have a severely damaging effect upon the future supply of natural gas too. Most gas reserves are found incidental to the search for crude oil, and if the financial incentive to find oil is destroyed, new gas reserves would not be discovered either. The wellhead price of natural gas is much too low to warrant a separate search for gas alone. Natural gas can be imported, but only to a limited degree. For the most part, consumers would have to do without, if the supply from domestic sources was limited.

Over the past ten years, domestic producers have spent a total of 44 billion dollars in their efforts to find oil and natural gas reserves in the United States. In the next decade, they will need to spend twice that much if the nation's current level of self-sufficiency is to be maintained. These capital expenditures flow through, and favorably influence, many sectors of the nation's economy. But, under the circumstances created by unlimited imports of foreign oil, relatively little of this money would be spent in the United States. Oil and natural gas are now produced in 32 of the nation's 50 states—and all of them would feel to varying degrees the detrimental economic impact of uncontrolled imports. In addition, the nation's balance of payments would be affected adversely.

Clearly, consumers would benefit if the import controls were removed. But only to a limited degree. And only for a temporary period. If refineries operating on lower cost crude oil were able to provide petroleum products for one cent per gallon under the present level, the saving would amount to about 6 dollars per year for the average consumer of gasoline and 13 dollars annually for the average residential heating oil customer. But most if not all of the saving would disappear within a comparatively short period of time. As soon as the self-sufficiency of the United States fell by a significant amount, the price of foreign crude oil could be ex-

pected to rise. Because of their direct financial interests, it would be perfectly natural for the governments of foreign producing countries to seek the highest price possible for their oil. The United States and Western Europe together constitute nearly three-fourths of the Free World market for crude oil. And by the time the United States had to import half of its needs, the combined self-sufficiency of the two areas would be no more than 25 percent. Under such conditions it is inconceivable that the price of crude oil from abroad would not be raised repeatedly to the maximum level the traffic would bear. The price of domestic crude oil would rise again too, but by this time a great deal of damage would have been done.

The United States can have somewhat lower priced petroleum products for a brief period by using unlimited quantities of foreign crude oil. But it can do so only by paying an exceedingly high price in other terms—by seriously jeopardizing the national security and by causing widespread damage to a great many economic activities. The economic impact would be felt by numerous levels of government deprived of tax revenue, by several industries, but mostly by thousands upon thousands of small businessmen. It is noteworthy that those who would benefit most from unlimited imports of foreign oil—the large international petroleum companies—have nevertheless supported restrictions. From the time mandatory controls were first imposed these companies have consistently put the nation's best interests ahead of their own.

The nation must soon decide which route it wishes to follow. And the responsibility for making that decision rests heavily indeed upon those who will be involved. History has recorded the mistakes of the past and will continue to do so in the future. But, surely, if all the lines of communication are kept open and fully utilized, if all the pertinent facts are brought out and carefully weighed, and if the long range effects are measured accurately, the chances for making the best decision will be much improved.

JOHN G. WINGER,  
Energy Division.

MARCH 11, 1969.

#### U.S. PETROLEUM STATISTICS SUMMARIZED

	January		Percent change	3 months ended Jan 31		Percent change
	1969 Thousand barrels daily	1968 Thousand barrels daily		1969 Thousand barrels daily	1968 Thousand barrels daily	
<b>Demand:</b>						
Gasoline.....	5,167	4,778	+8.1	5,217	4,934	+5.7
Kerosine.....	1,145	1,079	+6.1	1,071	970	+10.4
Distillate.....	3,880	3,806	+1.9	3,226	3,186	+1.3
Residual.....	2,215	2,775	-20.2	2,093	2,824	-8.4
All other.....	2,780	2,775	+2	2,778	2,715	+2.3
<b>Total demand.....</b>	<b>16,187</b>	<b>15,213</b>	<b>-2</b>	<b>14,385</b>	<b>14,089</b>	<b>+2.1</b>
<b>New supply:</b>						
Crude oil production.....	9,033	9,021	+1	8,988	8,969	+2
Natural gas liquids production.....	1,550	1,461	+6.1	1,550	1,461	+6.1
Crude oil imports.....	1,274	985	+29.3	1,401	1,061	+32.0
Residual fuel imports.....	1,292	1,643	-21.4	1,128	1,304	-13.5
Other products imports.....	450	386	+16.6	410	358	+14.5
<b>Total new supply.....</b>	<b>13,599</b>	<b>13,496</b>	<b>+8</b>	<b>13,477</b>	<b>13,153</b>	<b>+2.5</b>
Crude runs to stills.....	9,945	10,093	-1.5	10,182	10,109	+7
<b>Stock change in million barrels.....</b>	<b>-49.2</b>	<b>-53.6</b>		<b>-82.5</b>	<b>-86.4</b>	
<b>Stocks—end of period:</b>						
Gasoline.....	212.0	220.0	-3.6			
Kerosine.....	34.0	33.0	+3.0			
Distillate.....	136.0	120.0	+13.3			
Residual.....	61.0	59.0	+3.4			
Other products.....	233.0	214.0	+8.9			
<b>Total products.....</b>	<b>676.0</b>	<b>646.0</b>	<b>+4.6</b>			
Crude oil.....	283.0	245.0	+15.5			
<b>Total, all oils.....</b>	<b>959.0</b>	<b>891.0</b>	<b>+7.6</b>			

Sources: U.S.B.M., A.P.I., and C.M.B.

# WOULD YOU SIGN THE DECLARATION OF INDEPENDENCE?

Mr. HATFIELD. Mr. President, recently the students in a class of American Government and politics at the University of Maryland, European division, conducted a most revealing survey. They decided to circulate a portion of the preamble of the Declaration of Independence among a cross section of Americans at an Air Force base in Germany. This survey was circulated to see how many of our country's citizens would actually recognize their own Declaration of Independence. Also, these students wished to know how many of the individuals interviewed would support the document and if necessary, sign it as evidence of their convictions. I am confident that the results of this survey will be a matter of keen interest and deep concern to my colleagues. Therefore, I ask unanimous consent that the information concerning this survey and its results be printed in the RECORD.

There being no objection, the information was ordered to be printed in the RECORD, as follows:

## PORTION OF THE PREAMBLE OF THE DECLARATION OF INDEPENDENCE

When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these, are life, liberty, and pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudent, indeed, will dictate that governments long established, should not be changed for light and transient causes; and, accordingly, all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But, when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty to throw off such government and to provide new guards for their future security.

### I. Direct totals:

a. Total number interviewed.....	252
b. Total number who signed the document.....	68
c. Total number who would not sign the document.....	148
d. Total number of those who agreed with the document, but would not sign it.....	36
e. Total number of those who realized exactly what the document was.....	41

### II. Direct percentages in relation to part I:

a. Percentage of base population interviewed.....	11
b. Percentage of those who would sign the document.....	27
c. total percentage of those who would not sign the document.....	73
1. Percentage of those who agreed with the document, but would not sign it.....	14
2. Percentage of those who absolutely would not sign the document.....	59
d. Percentage of those who realized what the document really was.....	16

### STATEMENTS MADE BY INDIVIDUALS WHO WOULD NOT SIGN THE SURVEY DOCUMENT

(These are just some of the statements that were given, but they are a good sample of many responses received.)

1. Some called it a lot of trash.
2. Many felt that the document is advocating a coup d'etat.
3. Many did not believe in the principles stated in the document.
4. Some felt that the document is very vague and left a lot to be desired.
5. Many felt that it was a direct rebuttal of the Government.
6. One teacher at a local junior high school, after reading it stated: "Do you really believe in this document?" When the man responded with a definite YES, the teacher shouted: "You believe in what you want to you communist."
7. Many would not sign the document for fear of repercussion.
8. Some would not sign the document because it failed to clarify how the government would be replaced, and had there been any mention of elections they would have signed it.
9. Four individuals accused the surveyor (a Negro) of trying to develop his own black state.
10. This document is "advocating the abolishing of our government and the possible establishing of a dictatorship."
11. One individual refused to sign the document and called it a very radical document, he also thought it was poorly written.
12. A few felt that it was an outdated document, and left too much for interpretation.
13. An individual felt it was not necessary to reaffirm the principles to which he has dedicated his life to and had sworn to uphold when he took the Oath of Allegiance.
14. One man said the document was "basically stupid and a lot of trash." Also, this same individual felt people should not have the right to abolish the government.
15. Some individuals would not sign it because they wanted to know what it would be used for.
16. Another individual stated: "Who wasted an afternoon writing this?"
17. Another man felt that the government shouldn't be changed by the "little people".
18. Too much "legal talk".
19. Doesn't give enough to the majority class.
20. One individual left the room and refused to even talk about the document again.
21. One individual did not like the word prudence in the document.
22. Many thought this document to be too radical.
23. Another individual thought the document was "pretty", but not workable.
24. One gentleman asked if the document had anything to do with the "Communist Party of America".
25. One individual said that "it sounds like that long haired kid stuff".

### ADDITIONAL INFORMATION

Survey assistants: David S. Haynes, Joseph Kupferschmidt, Robert E. Lock, Tony Tolbert.

The survey was conducted during the period of February 13, 1969 through March 10, 1969.

Faculty advisor: Dr. Serge M. Shewchuk, University of Maryland, European Division. For questions concerning this survey please contact David S. Haynes, Box 2299, APO New York 09130.

## THE NIXON ADMINISTRATION AND CIVIL RIGHTS

Mr. MONDALE. Mr. President, I am one of a number of Senators who have been watching with interest, and with concern, the extent to which the Nixon administration intends to implement civil rights laws and regulations. In particular, I have been watching, and commenting upon, the inadequate and inconsistent way in which the Nixon administration has handled its responsibilities in the areas of school desegregation and contract compliance.

An editorial in Sunday's Washington Post entitled "The President and Civil Rights Law" was addressed to this issue. It characterized the administration's performance in implementing civil rights law as "a directionless one, marked by rude, unsettling swings back and forth between upholding the law and temporizing it." The editorial spelled out in very clear language the disastrous results the administration can expect if it continues its "policy of ambiguity" in this vital area.

This editorial deserves the attention of all Americans dedicated to the goals of equal justice and equal opportunity and I ask unanimous consent that it appear at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Apr. 13, 1969]

### THE PRESIDENT AND CIVIL RIGHTS LAW

"The laws have caught up with our conscience," President Nixon said in his inaugural address. "What remains is to give life to what is in the law: to ensure at last that as all are born equal in dignity before God, all are born equal in dignity before man." Giving "life to what is in the law"—the formulation was an excellent one, clear and to the point. But Administration execution of the President's inaugural dictum has been something else again, an uneven performance and seemingly a directionless one, marked by rude, unsettling swings back and forth between upholding the law and temporizing about it.

To the extent that this can be called a policy, it is a policy of ambiguity, one which can only produce losers and not just among the black Americans whose rights and opportunities are at stake. For it is hard to see how the Administration can bring anything but trouble to itself—discontent and disappointment on all sides—by failing to give out a clear and unambiguous signal in this matter.

The latest in the series of troubling episodes concerns the resignation of Clifford L. Alexander Jr. as chairman of the Equal Employment Opportunity Commission. Mr. Alexander, a Negro and a Democratic Administration appointee, pointed out the implications that must be drawn from the fact that the White House had announced its in-



tention to replace him the day after he had been the object of a vicious attack by Senator Dirksen for his efforts to enforce Title VII of the Civil Rights Act, Senator Dirksen having also suggested that he would talk to the right person in the Administration and see to it that the likes of Mr. Alexander would be fired. Mr. Alexander, in his resignation remarks, also charged the Administration with having omitted from its goals the vigorous enforcement of the "laws on employment discrimination."

President Nixon, it should be noted, had no obligation to retain Mr. Alexander in the chairman's post. But to have so entirely failed to support Mr. Alexander at a moment when he was under this kind of attack is another matter. Like so many other aspects of the Administration's mixed performance in this field, the best construction one can put on it is that nothing more sinister than inadvertence and insensitivity underlay it. That was the best that could have been said, for instance, of the Defense Department's cavalier approach to the letting of contracts to three Southern firms which were out of compliance with civil rights standards. That situation has now been in large measure retrieved, but it shook confidence sufficiently to have prompted a lawsuit on the part of the NAACP Legal Defense Fund which will seek to have the contracts revoked.

The one place where there has been evidence of firmness is at HEW where Secretary Finch has moved ahead on fund cut-offs from Southern school districts that disregard the provisions of the law and has made some irrefragable appointments to the offices charged with carrying out civil rights policy. But even at HEW, there has been a slow infusion of appointees (with or without the Secretary's unequivocal blessing is not clear) whose presence suggests that the Administration is trying to have it both ways and to please its displeased constituents in the South.

The point is that the Administration cannot afford an inadvertent or insensitive approach to these questions—much less an artfully misleading one. President Nixon still has much to do to gain the confidence of those citizens who will be most profoundly affected by any undermining of the laws and regulations on the books. Moreover, lacking as he does in present circumstances the funds to affirm his commitment to their well-being by moving ahead with the substantive domestic programs legislated in the past several years, he has a special obligation to affirm that commitment by way of uncompromised and unequivocal support of the laws that define and protect their rights.

Finally, there is the plain fact that by playing it both ways or even suggesting the possibility of a weakness of resolve, Mr. Nixon can only excite hopes he will ultimately be unable to fulfill on the part of those communities, corporations and public institutions that are still resisting implementation of our civil rights laws.

It will be tough politics, but good politics, when the Administration decides that its business is precisely what the President said: giving life to what is in the law.

Mr. MONDALE. Mr. President, a news analysis in this morning's Washington Post amplified and reinforced the reasoning in yesterday's editorial. It described in detail the inconsistent and uncoordinated manner in which the Nixon administration has approached the implementation of civil rights laws. This news analysis calls the central themes of the Nixon administration's civil rights activities a "lack of coordination and a tendency to react and improvise rather than initiate action." After reviewing a series of conflicting and un-

coordinated administration actions, the article concludes that "beneath these appearances of confusion and lack of direction, there is a real confusion and lack of direction."

I ask unanimous consent to insert the article entitled "Nixon Civil Rights Policies Appear Mired in Confusion" at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Apr. 14, 1969]  
NIXON CIVIL RIGHTS POLICIES APPEAR MIERED  
IN CONFUSION

(By John P. MacKenzie)

Less than three months after taking office, the Nixon Administration appears to have as many civil rights policies as there are agencies with civil rights duties.

So far, it's been a record of activism and equivocation of creative effort and indifference, of talk and conduct that both excites and worries Negro leaders. The only central themes have been lack of coordination and a tendency to react and improvise rather than initiate action.

On the same day that the Justice Department's civil rights chieftain announces a bold new move to protect Negroes from real estate "blockbusting," the Secretary of Transportation is roasted on Capitol Hill for easing up on equal employment demands for highway builders.

On the same day that the Justice Department sues a textile mill for job and company housing bias, the NAACP Legal Defense Fund is taking the Pentagon to court for letting three prime textile contractors off the hook over their hiring, promoting and company housing practices.

In one 24-hour span, President Nixon vows publicly that the executive branch shall "lead the way as an equal opportunity employer"—and his press secretary states that the Chairman of the Equal Employment Opportunities Commission, freshly rebuked by Senate Republican leader Everett Dirksen for "harassing" employers, will be replaced.

Beneath these appearances of confusion and lack of direction, there is real confusion and lack of direction—although the young Administration's failure to attempt high-level across-the-board civil rights enforcement may not be entirely an accident.

Assistant Attorney General Jerris Leonard for example, did not know in advance that the Defense Department was accepting verbal equal employment assurances from the textile firms rather than the written promises required by a 1965 executive order.

Such a snafu probably would not have happened under President Johnson who, besides making his stand on civil rights very clear, designated Attorney General Ramsey Clark as his man, Government-wide, to ensure enforcement of Federal law barring financial aid to areas plagued by discrimination.

Nobody has stepped forward to claim the laurels of Mr. Civil Rights for the Nixon Administration, partly perhaps because Attorney General John N. Mitchell has indicated he wants to make the line between Justice and, say, the Department of Health, Education and Welfare, firmer rather than fuzzier where they have over lapping jurisdiction such as in school desegregation.

The total effect of each department going its own way, is not one of neutrality toward civil rights. The Pentagon's failure to submit its contracting policy to scrutiny elsewhere in Government amounts to a decision to avoid the kind of review that almost certainly would build pressures for a tough Defense Department policy.

Besides making it easier to temporize, such lack of necessary embarrassment. The Pentagon made its textile announcement within

hours of President Nixon's promise to NAACP Executive Secretary Roy N. Wilkins to investigate complaints on the subject—a bureaucratic goof that no cynic could have stage-managed.

Leonard, 39-year-old former Wisconsin state legislator, has overcome an initial setback about his membership in a segregated Milwaukee club to earn a reputation among many civil rights workers for a sincere desire to enforce Federal law vigorously.

He stepped in quickly to argue in the Supreme Court on the side of Negroes who tried to desegregate a recreation area near Little Rock, Ark. When he filed a friend-of-the-court brief in a Chicago "blockbusting" case, lawyers for Negroes there credited him with a creative legal argument and they were grateful to have the prestige of the United States Government thrown in as well.

Leonard is regarded by some subordinates as easily educated in the intricacies of civil rights enforcement, but he is being watched to see whether he can capture the appropriations needed to unfreeze the current travel restrictions that keep many bias fighters chairborne.

At HEW, Secretary Robert H. Finch weathered an initial period of unpreparedness and uncertainty to begin a pattern of toughness over school desegregation-Federal aid guidelines.

But Finch's appointment of Robert C. Mardian, who has urged a quiet cutback in Federal fund cut-offs, as general counsel, counterbalanced his naming of Leon A. Panetta, a liberal, to do the actual enforcing, has created a new mix of emotions and expectations. So have Finch's own conflicting public statements on civil rights issues.

No civil rights legislative program has emerged, but it will be surprising if the White House backs a Johnson Administration proposal for enforcement powers for the Employment Commission, since Dirksen has upbraided former chairman Clifford A. Alexander Jr. for his use of its existing powers.

The Administration's failure to coordinate with Dirksen plus an ill-timed White House statement the next day saying Alexander would be replaced as chairman combined for the maximum Administration embarrassment. Knowing that Alexander, a Democrat, could become difficult to handle politically, the Administration nonetheless managed to let Alexander resign as chairman (while remaining on the commission) in a righteous huff rather than quietly.

The signs are scant that segregationist Sen. Strom Thurmond (R-S.C.) wields great influence on civil rights matters. But signs are plentiful that the Nixon Administration will continue for some time to move in several directions at once on civil rights.

Mr. MONDALE. Mr. President, our country cannot tolerate confusion and inconsistency in the implementation of civil rights laws and regulations. The time has come for the Nixon administration to publicly clarify its intent to enforce the law in civil rights matters, and to act unequivocally and consistently to carry out that intent.

## ADJOURNMENT

Mr. KENNEDY. Mr. President, if there be no further business to come before the Senate today, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to and (at 3 o'clock and 45 minutes p.m.) the Senate adjourned until Tuesday, April 15, 1969, at 12 o'clock meridian.

## NOMINATIONS

Executive nominations received by the Senate, April 10, 1969, under authority of the order of April 3, 1969:

## DIPLOMATIC AND FOREIGN SERVICE

C. Burke Elbrick, of Kentucky, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Brazil.

William J. Handley, of Virginia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Turkey.

Robert C. Hill, of New Hampshire, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Spain.

Kenneth B. Keating, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to India.

William Leonhart, of West Virginia, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Socialist Federal Republic of Yugoslavia.

Val Peterson of Nebraska, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Finland.

Alfred Puhan, of Virginia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Hungary.

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Lewis Butler, of California, to be an Assistant Secretary of Health, Education, and Welfare.

Robert C. Mardian, of California, to be General Counsel of the Department of Health, Education, and Welfare.

## CIVIL SERVICE COMMISSION

L. J. Andolsek, of Minnesota, to be a Civil Service Commissioner for the term of 6 years expiring March 1, 1975.

## DEPARTMENT OF TRANSPORTATION

Walter L. Mazan, of Vermont, to be an Assistant Secretary of Transportation.

## IN THE COAST GUARD

The following named officers of the U.S. Coast Guard for promotion to the grade of Lieutenant (junior grade):

Robert C. Herold	Carl D. Fry
Arthur R. Whittum	Robert L. Melville
Malcolm W. Gray	Paul C. Monette
James H. Oliver	Michael L. Kelly
Gene A. Forest	Gerald F. Arens
John H. Powers, III	Michael G. Cavett
Lavere E. Amundson	Ramond L. McFadden
Frank C. Lewis	Richard F. Mattingly, Jr.
John J. Castulik	Herman F. Hirsh, III
Dennis W. Mahar	Gerald D. Johnson
John F. Weseman	Claude W. Brock
Karl Kaufman	Robert J. Parsons
Ernest R. Smith, Jr.	David W. Thiel
Michael W. Wade	Edward S. Olszewski, Jr.
Thuren M. Drown	Thomas E. Ross, III
Brian W. Mills	Douglas D. Lundberg
Donald L. Dobbs	
Frank K. Cole	
Brian Pickhaver	

The following named Reserve officer to be permanent commissioned officer of the Coast Guard in the grade of lieutenant commander:

Walter R. Wilkinson.

The following named Reserve officers to be permanent commissioned officers of the Coast Guard in the grade of lieutenant:

Stanley J. Spurgeon.

William McPherson.

## IN THE AIR FORCE

Philip N. Whittaker, of Maryland, to be an Assistant Secretary of the Air Force.

Joseph Rohrich Jr. FR3310 for reappointment to the active list of the Regular Air Force in the grade of colonel from the temporary disability retired list under the provisions of sections 1210 and 1211, title 10, United States Code.

Orley B. Caudill, FR13074, for reappointment to the active list of the Regular Air Force, in the grade of lieutenant colonel, from the temporary disability retired list, under provisions of sections 1210 and 1211, title 10, United States Code.

The following officers for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated, and with dates of rank to be determined by the Secretary of the Air Force:

*To be captain (medical)*

Stone, James D., 3203093.

*To be first lieutenants (medical)*

Adams, Michael, 3038976.

Amonette, Rex A., 3201243.

Behringer, Blair R., 3041076.

Bevans, David W., Jr., 3202663.

Boatman, Dennis L., 3202580.

Bolin, Robert B., 3167477.

Bordelon, Fred C., 3202299.

Bullock, Milton L., 3202766.

Chudnow, Ivan, 3202290.

Colclasure, Joe B., 3202293.

Dahl, Vincent H., 3202577.

Ellerby, Richard A., 3201756.

Hall, John L., 3202095.

Hamilton, Oliver F., Jr., 3202094.

Harris, Ashby T., 3203071.

Heard, John G., 3201802.

Hooper, Joseph R., 3202946.

Hughes, Thomas H., 3202401.

Jackson, James E., 3202035.

Jackson, Joseph A., III, 3202033.

Kirkpatrick, Barry V., 3202869.

Koop, Lamonte P., Jr., 3203401.

Kracke, William I., 3202062.

Lawrence, David R., 3203254.

Martin, Thomas R., 3202281.

McCord, George E., 3203359.

Milam, William F., Jr., 3203401.

Mims, William W., Jr., 3185162.

Myers, Charles M., 3201597.

Parris, Fred N., 3202614.

Pica, Donald G., 3201423.

Raines, Richard D., 3202904.

Reiman, Charles E., 3203202.

Ricks, John P., 3202315.

Righetti, Thomas R., 3202314.

Rimmer, Charles W., Jr., 3201280.

Rogers, Roy S., III, 3216222.

Rosenbaum, Thomas W., 3202705.

Rustin, Dowse D., 3201544.

Simpson, Charles L., 3203046.

Thibault, Frank G., 3202332.

Tibbels, Terrence E., 3202339.

Wexler, Nathan S., 3201249.

Wilkins, Kaye E., 3202130.

Williamson, Warren L., 3201238.

Yatteau, Ronald F., 3164613.

*To be captain (Dental)*

Depew, Theodore E., Jr., 3140997.

*To be first lieutenant (Dental)*

Almqvist, Theodore C., 3142412.

*To be first lieutenant (Judge Advocate)*

Baur, Byron D., 3156167.

Shockley, Larry G., 3223040.

Stark, Thomas M., 322968.

The following Air Force officers for appointment in the Regular Air Force, in the grade indicated under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

*To be first lieutenants*

Ahrens, Darrell J., 3127872.

Aldrich, Robert M., 3151977.

Alexis, Joseph Jr., 3147873.

Allen, Robert D., 3163336.

Alley, Ronald G., 3134095.

Altenhof, Bruce D., 3161524.

Anderson, Jerry A., 3160060.

Andrews, Francis J. Jr., 3151562.

Apel, Charles L., 3158341.

Bainter, Billy D., 3151299.

Balsamo, Salvatore R., 3168815.

Barker, Edward R., 3151554.

Barnett, Glenn R., 3160469.

Barrett, Billy A., 3137834.

Basler, Edward W., 3158968.

Bayless, William D. Jr., 3147874.

Beard, Preston S., 3147684.

Beardslee, Stephen A., 3149698.

Beckham, Wilbur L. Jr., 3161343.

Beebe, David A., 3161042.

Behl, John H. III, 3161796.

Belcher, Glenn A., 3160907.

Belisle, Charles A., 3150117.

Bell, Jeffrey, 3133596.

Benedict, Rettig P. Jr., 3160521.

Berg, Lothar E. Jr., 3150572.

Bertolami, Paul R., 3158216.

Biniewski, Daniel J., 3150226.

Blackburn, Gary E., 3163636.

Blair, John D. Jr., 3147336.

Blankenship, Norman R., 3149424.

Bledsoe, Gleyne E. Jr., 3163082.

Bonfanti, Harry J., 3160253.

Bookman, Thaddeus A., 3151497.

Boulware, John H., 3159380.

Bourne, Alan M., 3161137.

Brisby, Johnny M., 3163276.

Briscoe, Gerald D., 3151415.

Britt, Wayne I., 3150224.

Brown, Richard A., 3149682.

Bruce, Robert W., 3163047.

Bruhn, Peter C., 3163162.

Bryant, William L., 3148549.

Brzostek, Chester F., 3157966.

Buchanan, Ellis G., 3151422.

Buckner, Dean T., 3162793.

Buehler, Gary F., 3147428.

Burton, Larry D., 3161247.

Buser, Lamoyne G., 3158879.

Canavan, Thomas E., 3150339.

Carl, Ronald W., 3157722.

Carpenter, Richard J., Jr., 3150195.

Cary, Thomas M., 3151767.

Cashel, William F., 3147906.

Chin, Rodney D., 3163310.

Clark, William D. Jr., 3148211.

Cook, James R., 3150431.

Cortez, Robert, 3149406.

Cote, Robert T., 3149796.

Cote, Ronald J., 3160129.

Cournoyer, Ronald C., 3151833.

Couture, Louis C., 3150501.

Cox, Juanita R., 3151019.

Crowder, James R., 3150225.

Crump, James C., Jr., 3149700.

Cundey, William R., 3160189.

Cunningham, Charles A., 3149789.

Czernik, Chester E., 3150911.

Dakan, Dennis K., 3157886.

Dansby, Jesse L., Jr., 3162159.

Derboghossian, Zaven C., 3139351.

Disz, Thomas E., 3158519.

Dixon, William E., 3151517.

Dodson, Allen E. Jr., 3152094.

Donnelly, George E., 3151630.

Douglas, William A., 3151852.

Duerholz, Robert J., 3150132.

Durkin, William C., 3160473.

Durst, Carl L., 3160978.

Eckstone, Stephen D., 3150093.

Emmons, Donald R., 3158882.

Evans, Kenneth P., 3149546.

Felderman, Harold J., 3157887.

Fierman, Paul B., 3133863.

Filbin, Paul W., 3161618.

Filiatreau, Thomas R., 3163647.

Ford, John E., III, 3095611.

Freeman, Lawrence R., 3157970.

Freewald, Robert C., 3150590.

Freisinger, John J., 3151489.

Freund, Donald W., 3161364.

Furrer, Max E., 3149453.

Garcia, Freddie, Jr., 3150297.

Gemlich, Stephen L., 3158857.



Gerber, Ronald H., 3149714.  
 Gess, William G., 3151451.  
 Gest, Alan E., 3150366.  
 Gibbs, Douglas L., 3168841.  
 Gifford, Norman L., 3133587.  
 Gilbert, Robert G., 3149623.  
 Goodwick, Kenneth A., 3148301.  
 Goshorn, William J., 3110091.  
 Green, Harlan D., 3150929.  
 Grouls, David R., 3160336.  
 Habermel, James G., 3150243.  
 Hacker, Brian M., 3149292.  
 Haley, Thomas E., Jr., 3149185.  
 Haller, Carl A., 3148483.  
 Ham, Howard C., Jr., 3149583.  
 Hamner, John B., 3158858.  
 Hanks, Alvin L., 3163277.  
 Harris, Richard A., 3149139.  
 Heagy, Charles F., Jr., 3157327.  
 Healy, Donald M., 3163603.  
 Hein, Donald H., 3151652.  
 Helms, John H., 3156316.  
 Henningsen, Richard F., 3150095.  
 Henry, Larry L., 3154444.  
 Henry, Leonard O., III, 3149944.  
 Henryson, John A., 3151948.  
 Hill, Frederick A., 3159786.  
 Horn, Michael S., 3151803.  
 Hotcaveg, Kenneth J., 3150101.  
 Hull, John W., Jr., 3162277.  
 Hunsiker, Bobbe E., 3161068.  
 Hussey, James H., 3151520.  
 Huxley, Donald L., 3151514.  
 Inge, Kenneth W., 3150034.  
 Janson, Gutthard, III, 3151896.  
 Jessup, Ervin L., Jr., 3163633.  
 Johnsey, Gary H., 3157335.  
 Johnson, Dale E., 3147918.  
 Jones, Hugh B., 3150053.  
 Jones, Thomas L., 3155043.  
 Kaehler, Robert D., 3161637.  
 Kaesemeyer, Roy H., 3155780.  
 Kang, Alden, 3158434.  
 Kapinos, Victor L., 3147942.  
 Kelley, Brian J., 3162866.  
 Kercher, David H., 3151344.  
 Kintigh, David D., 3163724.  
 Kohn, John A., 3158463.  
 Koppe, Thomas F., 3149649.  
 Kross, Walter, 3151906.  
 Krumm, John A., 3149566.  
 Kuzmack, Michael S. II, 3149388.  
 Lambert, Ronald L., 3147648.  
 Lang, David M., 3152070.  
 Lapczynski, Thomas J., 3151222.  
 Laroche, Robert P., 3151355.  
 Lasocki, Richard P., 3159682.  
 Lemoine, Leo J., 3160020.  
 Letzelter, Cyril J. II, 3151043.  
 Lewis, Beacher B., 3151124.  
 Lichacz, John, 3150306.  
 Lightner, Jeffrey L., 3157925.  
 Linn, Thomas A., 3150982.  
 Livingston, Ronald D., 3150537.  
 Lohr, William F., 3161811.  
 Loos, James H., 3149036.  
 Louk, Frederick A., 3152047.  
 Lynn, Fredric M., 3162293.  
 Lyon, William K., 3157734.  
 Macaluso, Salvatore J., 3150375.  
 MacInnis, William H., 3160435.  
 Madura, John T., 3157598.  
 Malik, John J. Jr., 3151776.  
 Manning, William S., 3034745.  
 Marshall, William H., 3151138.  
 Mathews, Jack S. Jr., 3161260.  
 Matson, Eric K., 3149186.  
 Matthews, James F., 3161261.  
 Mauldin, William T., 3157401.  
 Maurice, James H., 3163610.  
 Mazer, Ronald G., 3148668.  
 McCain, Harvey G., 3149165.  
 McCullough, Lee W., 3163659.  
 McGhee, Robert E., 3151783.  
 McIlree, Alexander Jr., 3149134.  
 McInerney, Michael B., 3151261.  
 McKee, William C., 3160087.  
 McRae, William C., Jr., 3147962.  
 McWilliams, Howard H., 3149117.  
 Meador, Robert C., 3152100.

Meier, Stephen L., 3147677.  
 Miller, Howard H., 3149886.  
 Mink, Richard C., 3151278.  
 Monsour, Lawrence F., 3149328.  
 Moody, Ira A., 3149997.  
 Mooshie, John S., 3149733.  
 Morell, Dennis P., 3163239.  
 Morey, Kent W., 3148139.  
 Morss, Dean A., 3159796.  
 Nagel, Kenneth J., 3151272.  
 Neal, Lawrence L., 3163662.  
 Nemetz, Robert A., 3150051.  
 Nesbitt, Edward H., 3163626.  
 Nester, Robert A., 3155010.  
 Newman, William R., 3168807.  
 Noel, Thomas F., 3158805.  
 Norton, Robert L., Jr., 3152007.  
 Nozynski, Raymond J., 3151578.  
 Nutter, Steven M., 3150630.  
 Oates, James A., 3149141.  
 Okeefe, Paul J., 3149876.  
 Omeara, John J., 3151459.  
 Ovalle, Ralph A., 3150983.  
 Paquette, David W., 3159529.  
 Parish, John I., 3026118.  
 Parks, Rodney G., 3148046.  
 Peach, Ernest B., 3133545.  
 Pearson, John M., 3168918.  
 Peck, Peter E., 3151423.  
 Personius, Gerald R., 3147907.  
 Petersen, Edward A., 3163286.  
 Peterson, Ralph W., 3159072.  
 Pogue, Richard A., 3161395.  
 Pontiff, Gary J., 3150651.  
 Price, Charles R., 3160836.  
 Pringle, Sammie, 3150961.  
 Radowski, Michael J., 3150652.  
 Raezer, David P., 3151442.  
 Rakestraw, Pat W., 3157556.  
 Ramsey, Thomas J., 3151008.  
 Rasimus, Edward J., Jr., 3158591.  
 Rau, Edward C., 3149256.  
 Rayko, John C. B., 3150027.  
 Reaves, Cato L., 3155626.  
 Reavis, Radford L., 3162321.  
 Reinert, Kenneth W., 3161786.  
 Reinhard, Ralph R., 3150445.  
 Reiter, Richard T., 3159099.  
 Rhoton, Bert V., 3021563.  
 Ribbentrop, Richard T., 3148890.  
 Rice, Ernest W., Jr., 3149921.  
 Rice, George B., 3147553.  
 Rico, Juan M., 3161398.  
 Ripko, John C., 3157743.  
 Ritchie, Adrian A., Jr., 3133692.  
 Robbins, Robert E., 3151094.  
 Robinson, David E., 3151473.  
 Robinson, James R., 3157859.  
 Robinson, Larry A., 3151373.  
 Rose, James W., 3149787.  
 Roser, Thomas M., 3151515.  
 Rovegno, John F., 3161583.  
 Royster, Jack A., Jr., 3162182.  
 Saffris, Charles E., 3149069.  
 Satre, Stephen F., 3133990.  
 Savanick, Andrew, Jr., 3148100.  
 Schenck, James L., 3151499.  
 Schulze, Charles E., Jr., 3150290.  
 Schwartz, John C., 3158872.  
 Searcy, Jerry W., 3157116.  
 Seymore, Lesley L., 3162603.  
 Sharp, Paul R., 3149741.  
 Shaughnessy, Dale J., 31449909.  
 Sheldon, Earnest L., 3149499.  
 Shelton, Maurice L., 3146662.  
 Shiomi, Brian T., 3133462.  
 Smith, Gerald E., 3149891.  
 Smith, Herbert S., 3163292.  
 Smith, Robert B., 3157803.  
 Snyder, John G., 3150360.  
 Sorce, Dominic P., 161790.  
 Sousa, Paul E., 3150892.  
 Spears, Phillips D., 3150993.  
 Stein, Lowell L., 3159998.  
 Stevenson, John C., 3151986.  
 Stockwell, David E., 3147917.  
 Stolp, Durward D., 3151000.  
 Stoner, Tommy C., 3150301.  
 Standlie, Michael D., 3159817.  
 Swinney, David M., 3151855.

Tashner, Richard, 3151719.  
 Telesio, John H., 3148418.  
 Thomas, Luther L., 3151814.  
 Thomas, Terry A., 3154429.  
 Thompson, William H., 3149749.  
 Tilmon, Ronald I., 3149665.  
 Upton, Robert D., 3151478.  
 Valasek, Jon E., 3151062.  
 Valerian, Robert J., 3158028.  
 Vaneynde, James A., 3151424.  
 Vanpelt, John R., 3160849.  
 Vantilborg, Dale W., 3159144.  
 Veilleux, John M., 3160572.  
 Vinkels, Gunars, 3149188.  
 Walker, Lester L., 3134075.  
 Walker, William H., II, 3150384.  
 Waller, Thomas S., 3150636.  
 Wallerstedt, John R., 3148237.  
 Walsh, Edward F., 3151356.  
 Warren, John R., 3158781.  
 Welch, David N., 3130605.  
 West, James B., 3158412.  
 White, Walter E., Jr., 3161953.  
 Wiess, Martin P., 3160329.  
 Wildes, James S., 3151535.  
 Wimer, Glenn C., 3162106.  
 Wise, Anthony C., 3151177.  
 Wood, Phillip D., 3151279.  
 Wratten, Thomas F., 3158826.  
 Wright, Donald E., 3151973.  
 Wyatt, Milton R., 3151046.  
 Yajko, John A., 3149211.  
 Zaugg, David M., 3132799.  
 Zertuche, Leopoldo, Jr., 3150682.

The following distinguished graduates of the Air Force Officer Training School for appointment in the Regular Air Force in the grade of second lieutenant, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

Barrett, Robert M., Jr., 3239432.  
 Bayley, John S., 3239434.  
 Bunker, John W., 3228178.  
 Cambridge, David J., 3228380.  
 Carroll, Robert L., 3228336.  
 Chenette, Rudolph L., 3228128.  
 Collins, Richard, 3239444.  
 Dare, James M., 3239447.  
 Davis, Ricky W., 3227985.  
 Emery, Patrick I., 3239450.  
 Ford, Gary E., 3228277.  
 Goodman, Jack L., Jr., 3239457.  
 Haslam, Donald E., 3239458.  
 Jackson, Clark G., 3228324.  
 Kinlin, Donald J., 3239464.  
 Lamont, Stephen S., 3228025.  
 Moreland, Tim E., Jr., 3228000.  
 Mullen, John T., 3239473.  
 Nelson, Renwick T. II, 3239474.  
 Parker, James T., 3228334.  
 Possemato, Paul A., 3228310.  
 Reynolds, William L., 3228097.  
 Rodriguez, Ignacio, 3228389.  
 Saenger, George W., 3228097.  
 Schroyer, Anthony J., 3239484.  
 Smyth, Gerard A., 3227855.  
 Squire, James M., 3228041.  
 Stephenson, Stephen J., 3227885.  
 Strand, Randolph L., 3228027.  
 Sutton, James P., Jr., 3228388.  
 Truitt, James F., 3239496.  
 Velez, Jose N., 3239499.  
 Wenzel, David E., 3228386.

#### IN THE MARINE CORPS

The following-named officer of the Marine Corps for permanent appointment to the grade of captain:

Jeffrey W. Oster.

The following-named officers of the Marine Corps for permanent appointment to the grade of first lieutenant:

Richard G. Ericson.

James R. Hughes.

Earl M. Collins.

The following-named officers of the Marine Corps for temporary appointment to the grade of first lieutenant:

Paul E. Brown  
Wayne P. Campbell  
James C. Cockerl  
Thomas C. Dean  
Rex W. Foster, Jr.  
Charles E. Ganc  
John J. Gaynor, Jr.  
Robert J. Gleason  
John R. Gregory  
Frank H. Griffin, III  
Robert P. Hansen  
Norris G. Henthorne,  
III  
Walter T. Hicock  
Robert J. Hopmann  
Charles W. Holmes  
Edward A. Horne  
William H. Hunt  
Michael E. Jackson  
John B. Kelly  
William R. Knapp  
Patrick P. Oates  
John A. Janega  
Michael L. Parks  
Simon Poljakow

John W. Schwab, Jr.  
William H. Stubble-  
field  
Joshua D. Tallentire  
Harry B. Wease  
David L. Weber  
Edward R. Zaptin  
Gerald B. Benes  
Gordon E. Evans  
Richard L. Jahne  
Joseph T. Jewell, III  
Frederick E. Leek, II  
Craig L. Mayer  
Ronald C. Skelton  
James R. Benson  
M. L. Buchanan, Jr.  
Blake J. Cate, Jr.  
Steven E. Gugas  
Patrick A. Nourot  
Ralph A. Orlandella  
Ronald S. Rossini  
James A. Ruska  
William J. Sublette  
Thomas M. Timber-  
lake, Jr.

Bessette, Alfred F.  
Binion, Sammy G.  
Bragg, Donald R.  
Burnham, Thomas R.  
Cerqua, Vincent  
Chepenik, Marcus P.  
Dawson, William J.  
Dearing, Hugh H. II  
Docherty, Daniel J.  
Dodd, Howard C.  
Eveler, Bernard H.  
Florian, Frederick J.  
Gingras, Leon E.  
Hodge, Tommie S.  
Hutson, Clarence E.  
Jacques, Timothy A.  
Jenkins, Eugene  
Johnson, Charles A.  
Kampen, Gordon E.  
Kennedy, Michael B.  
King, Carl E.  
Lindsay, Jimmie A.  
Lopes, Robert  
Madda, Anthony V.  
Madenford, Eugene  
Martin, Darrell F.

Marx, Ronald E.  
Mayo, James E.  
Medrano, Gary F.  
Morris, Wayne V.  
Moylan, Michael J.  
Napier, Freddie  
Nottingham, Arthur  
W.  
Novak, Francis P.  
O'Dell, Jerry W.  
Pulda, Terrence T.  
Pullin, Jesse P.  
Rizzo, Joseph F.  
Roebuck, Kenneth D.  
Schuette, Walter R.  
Sellers, Thomas R.  
Shanklin, Michael L.  
Shepherd, David H.  
Stone, Robert A.  
Teddick, Robert B., II  
Tracy, Terry N.  
Webb, Jesse E.  
Wilson, Joseph C.  
Yantorn, James J.  
C. Young, William C.

Barber, Robert, Jr.  
Barrett, Odil L.  
Berryhill, Thomas J.  
Fernandez, Orlando  
Fritz, Ray  
Gildewell, Horton A.  
Jones, Larry  
Kennedy, Floyd M.  
Mallick, Michael T.  
McCartney, Charles A.  
McGuire, Jerome M.

Miller, Ashby R.  
Miranda, Jimmy  
Moore, David D.  
Newman, John N.  
Panchy, Louis N.  
Robinson, Wade A.  
Staigle, Charles L.  
Wallace, Charles L.  
Woltner, Rudolph E.,  
Jr.

The following named (commissioned war-  
rant officers/warrant officers) for temporary  
appointment to the grade of second lieutenant  
in the Marine Corps, for limited duty, sub-  
ject to the qualifications therefor as pro-  
vided by law:

Baltezare, Allen  
Boehlike, Fred W.  
Chambers, Walter C.  
Fischer, Frederick  
J., Jr.  
Flowers, James J.  
Ganeles, Burton F.  
Gerber, Robert P.  
McClay, Thomas F.

Nelson, Clarence M.,  
Jr.  
Nowark, Billie F.  
Ochoa, Johnnie M.  
Palumbo, Lewis H.  
Reffelt, Edwin L.  
Sykes, Donald B.  
Tesh, David M.  
Zigovsky, Martin J.

The following named (staff noncommis-  
sioned officers) for temporary appointment  
to the grade of second lieutenant in the  
Marine Corps, for limited duty, subject to  
the qualifications therefor as provided by  
law:

Croston, John L.  
Ermish, Harold J.  
Fish, George F.  
Hinson, Earl M.  
Houghton, Carl K.  
Hulce, Jack M.  
Huning, Nell V.  
Jennings, Gordon D.

Lee, Harvey C.  
Lee, Jewell D.  
McCallum, Philip L.  
Miller, Frank L.  
Shoup, Allen D.  
Thompson, Charles E.  
Tibbetts, David L.  
Williams, Herbert W.

The following named (Platoon Leaders  
Class) for permanent appointment to the  
grade of second lieutenant in the Marine  
Corps, subject to the qualifications therefor  
as provided by law:

Messerschmidt, James A.  
Nogueiro, Juan C.

Executive nominations received by the  
Senate April 14, 1969:

#### DIPLOMATIC AND FOREIGN SERVICE

Carl J. Gilbert, of Massachusetts, to be  
special representative for trade negotiations,  
with the rank of Ambassador Extraordinary  
and Plenipotentiary.

#### DEPARTMENT OF AGRICULTURE

Thomas K. Cowden, of Michigan, to be an  
Assistant Secretary of Agriculture.

#### INDIAN CLAIMS COMMISSION

Brantley Blue, of Tennessee, to be Com-  
missioner of the Indian Claims Commission.

#### IN THE MARINE CORPS

The following named (staff noncommis-  
sioned officers) for temporary appointment  
to the grade of second lieutenant in the Ma-  
rine Corps, subject to the qualifications  
therefor as provided by law:

Acri, Albert A.  
Adams, Andrew W.  
Ale, Richard L.  
Angle, Donald A.

The following named (Naval Reserve Of-  
ficers Training Corps) for permanent ap-  
pointment to the grade of second lieutenant  
in the Marine Corps, subject to the qualifi-  
cations therefor as provided by law:

Blevins, Earl A.  
Gardner, William D.  
Greene, Michael R.  
Howard, John E.

The following named (Navy Enlisted Scien-  
tific Education Program) for permanent ap-  
pointment to the grade of second lieutenant  
in the Marine Corps, subject to the qualifi-  
cations therefor as provided by law:

McConaghy, Dennis A.

The following named (commissioned war-  
rant officers/warrant officers) for temporary  
appointment to the grade of first lieutenant  
in the Marine Corps, for limited duty, subject  
to the qualifications therefor as provided by  
law:

## HOUSE OF REPRESENTATIVES—Monday, April 14, 1969

The House met at 12 o'clock noon.

The Reverend Father Joseph F. Thorn-  
ing, Ph. D., D.D., St. Joseph's-on-Car-  
rollton Manor, Frederick, Md., offered  
the following prayer:

Heavenly Father, author of life and of  
love, let the light of Thy countenance  
shine brightly upon the Speaker of this  
House and upon all the Members of the  
U.S. Congress.

Grant a special blessing to the Presi-  
dent of the United States of America as,  
today, before the Organization of Ameri-  
can States, he outlines his policies for  
a revitalization and expansion of the  
programs necessary for the health, ed-  
ucation, standard of living, and socio-  
economic development of peoples in the  
inter-American system.

Since this session of the U.S. House  
of Representatives officially marks the  
silver jubilee, or 25th congressional cel-  
ebration of Pan-American Day, we join  
all men, women, and children through-  
out the Western Hemisphere in praying  
that executives, lawmakers, judges, and  
citizens may give practical support to  
broad, durable measures of progress. May  
our leaders see fit, from motives of  
brotherly love and for sound reasons of  
national self-interest, to provide more  
generous rewards for the farmers, min-

ers, managers, office, and factory work-  
ers who now, in large numbers, barely  
make a living.

Vouchsafe, dear Saviour, that this  
year of grace and this session of the  
Congress may transform into golden re-  
alities the glittering promises often pro-  
claimed under such banners as the good  
neighbor policy and the partnership  
for progress.

May we, the sons and daughters of  
God-loving peoples, be conscious of our  
responsibilities to the youth of America  
for the future well-being of all the Ameri-  
can Republics.

In a spirit of rededication, wisdom,  
fairness, love, and peace, we implore  
these divine favors in the name of the  
Christ of the Andes. Amen.

#### THE JOURNAL

The Journal of the proceedings of  
Thursday, April 3, 1969, was read and  
approved.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the Presi-  
dent of the United States was communi-  
cated to the House by Mr. Leonard, one  
of his secretaries, who also informed the

House that on the following dates the  
President approved and signed bills and  
a joint resolution of the House of the  
following titles:

On March 28, 1969:

H.R. 8438. An act to extend the time for  
filing final reports under the Correctional  
Rehabilitation Study Act of 1965 until July  
31, 1969.

On April 1, 1969:

H.J. Res. 584. Joint resolution making a  
supplemental appropriation for the fiscal  
year ending June 30, 1969, and for other  
purposes.

On April 7, 1969:

H.R. 8508. An act to increase the public  
debt limit set forth in section 21 of the  
Second Liberty Bond Act.

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr.  
Arrington, one of its clerks, announced  
that the Senate had passed concurrent  
resolutions of the following titles, in  
which the concurrence of the House is  
requested:

S. Con. Res. 15. Concurrent resolution to  
print as a Senate document studies and  
hearings on the Alliance for Progress.

S. Con. Res. 16. Concurrent resolution au-  
thorizing the printing of the eulogies on  
Dwight David Eisenhower.